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PAPERS

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CORRESPONDENCE.

CORRESPONDENCE.

GREAT BRITAIN.

Mr. Adams to Mr. Seward.

No. 74.]

Legation of the United States,
London, November 22, 1861.

Sir: I have to acknowledge the reception of the missing despatch (No. 109) of the 23d of October from the department, which relates, as I had conjectured, to the case of Mr. Bunch, the British consul at Charleston. In conformity with the instructions therein contained, I have addressed a note to Earl Russell on the subject, a copy of which I have the honor to transmit herewith.

I have the honor to be, sir, your obedient servant,
CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Earl Russell.

Legation of the United States,
London, November 21, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States, has the honor to inform the right honorable Earl Russell, her Majesty's principal secretary of state for foreign affairs, that he has now just received the answer of his government to the note addressed by his lordship to the undersigned on the 9th of September last, touching certain representations made by him, under instructions from his government, of the conduct of Mr. Robert Bunch, her Majesty's consul at Charleston, and he now proceeds to submit the substance of the same to his lordship's consideration.

And first, it is a source of satisfaction to the undersigned to be able to say that the President finds that that part of Mr. Bunch's proceedings which was most calculated to offend the United States, and to which exception was more especially taken, has no support in the communication of his lordship to which it is now proposed to reply. If it be true that Mr. Bunch made any assurances, direct or implied, to the insurgents in the United States of a disposition on the part of her Majesty's government to recognize them as a state, it is now clear that he acted utterly without authority. Whatever is the responsibility which may be supposed to attach to Mr. Bunch for such an act, there is no disposition left to assign the smallest share of it to the source to which he is indebted for his official position.

But, though there is great cause for gratification in this view of his lordship's note, the undersigned is constrained to admit that in another the President has received it with somewhat less of satisfaction. It would appear that her Majesty's government has avowed that Mr. Bunch did act under instructions so far as his conduct was known to the foreign department, and that that action went to the extent of communicating to the persons exercising authority in the so-called Confederate States the desire of her Majesty's government that the second, third, and fourth articles of the declaration of Paris should be observed by these States in the prosecution of the hostilities in which they were engaged. The undersigned regrets to be obliged to submit to his lordship's consideration the fact that Mr. Bunch received from the government of the United States a recognition exclusively confined to the performance of consular duties, and that in proceeding to execute others which very nearly approach, if they do not absolutely belong to, those of diplomatic agents only, he seems to them to have transcended the just limits of any authority which they had ever consented to vest in him.

Well aware of the great difficulties necessarily in the way of an intimate acquaintance with the laws of a foreign state, the undersigned will not pretend to claim of her Majesty's government that it should be familiar with those of the United States. But it becomes his duty to point out the fact that Mr. Bunch, in accepting the post which he did under her Majesty's authority, voluntarily made himself amenable, at least during the period of his residence, to the authority of those laws. When, therefore, he received a direction from the foreign department to do an act which was not known by it to be a violation of one of those laws, but which he was bound to know to be such, his duty clearly should have been, instead of proceeding at once in contravention of the law, to apprise his government of the position he was placed in, and to await their decision after a full consideration of the question involved. The statute to which allusion is made forbids, under a heavy penalty, any person not specially appointed, or duly authorized or recognized by the President, whether citizen or denizen, privileged or unprivileged, from counselling or advising, aiding or assisting in any political correspondence with the government of any foreign state whatever, with an intent to influence the measures of any foreign government, or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of their government.

Neither is the undersigned so fortunate as to see in this proceeding of Mr. Bunch, thus shown to be on his part a wanton violation of the law of the United States, a sufficient justification or excuse in the consideration that Great Britain is deeply interested in the maintenance of the articles which provide that the flag covers the goods, and that the goods of a neutral taken on board a belligerent ship are not liable to confiscation. It is enough to say, on this subject, that in the view of nearly all civilized nations the proper agents to make known such wishes are the diplomatic not the consular agents of a government, and that the only authority in the United States to which any diplomatic communications whatever can be made is the government of the United States itself. The undersigned is too confident of the soundness of the principles which have ever actuated the government of Great Britain in all its relations with foreign countries not to affirm that it would never give countenance for a single moment to the application of any other doctrine than this to the management of its own affairs.

Least of all will the undersigned be permitted to admit that communication by Mr. Bunch, while exercising consular privileges granted to him with the consent of the United States, with insurgents endeavoring to overthrow the government, can be justified by the declaration of her Majesty's ministers that they have already recognized the belligerent character of those insurgents, and will continue to so consider them. It is, indeed, true that her Majesty's proclamation has been issued for the regulation of all her own subjects, and that it has been interpreted by her government as recognizing the insurgents as a belligerent. But it is equally true that the government of the United States declines to accept any such interpretation as modifying in the least degree its own rights and powers, or the obligations of all friendly nations towards it.

Still adhering to this position, the undersigned is instructed to announce, as the result of the most calm and impartial deliberation upon the question thus submitted for its decision, the necessity which his government feels itself under to revoke the exequatur of Mr. Bunch. Neither has this step been taken without the pressure of a strong conviction that, independently of the facts already alleged, his personal conduct, even down to the time this correspondence has been going on, as well as before it commenced, has been that, not of a friend of the government, nor even of a neutral, but of a partisan of faction and disunion.

In conclusion, it is with much pleasure that the undersigned has it in his power to convey to Earl Russell the sense entertained by the President of the action of her Majesty's representative at Washington. It is felt to be due to him as well as to his government to say that in all his proceedings he has carefully respected the sovereignty and the rights of the United States, and that the arrangements which have been made by him, with the entire approval of the government, for establishing a communication between his government and its consuls, through the national vessels of Great Britain entering blockaded ports, without carrying passengers or private letters, bid fair to preclude all necessity for a recurrence of such proceedings as those which have necessitated this painful correspondence.

Having thus performed the duty imposed upon him of announcing that the exequatur of Mr. Bunch has been withdrawn because his services are no longer agreeable to the government of the United States, the undersigned is further instructed to say that the consular privileges thus taken from him will be cheerfully allowed to any successor whom her Majesty may be pleased to appoint, against whom no grave personal objections are known to exist.

The undersigned has the honor to renew to Earl Russell the assurances of the highest consideration with which he is his lordship's most obedient servant,

CHARLES FRANCIS ADAMS.

The Right Hon. Earl Russell, *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 75.]

Legation of the United States,
London, November 22, 1861.

Sir : I have the honor to transmit a copy of a note of Lord Russell, dated the 15th of this month, in reply to mine addressed to him on the day previous, on the subject of the intercepted bag of Mr. Bunch, a copy of which was sent forward with my despatch to the department, No. 71, dated the 14th instant.

I have taken no special notice of the closing observations, for the reason, 1st, that his lordship transfers the discussion to Washington ; and 2d, that in another note addressed to him, under instructions, on the case of Mr.

Bunch, allusion is incidentally made to the subject as having been already arranged between Lord Lyons and yourself.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

Foreign Office, *November* 15, 1861.

Sir : I have the honor to acknowledge the receipt of your note of the 14th instant, which confirms the statements you made to me orally on Wednesday last.

I have only to add that, believing the cause of the stoppage of Mr. Bunch's bag to have been a *bona fide* suspicion on the part of the United States government that the bag might contain despatches from the so-styled Confederate States, I did not think it necessary to address Lord Lyons further on the subject.

With respect to your remarks on the subject of correspondence of British subjects in the southern States, the inconveniences consequent upon the present state of things are so great that her Majesty's government are obliged, seriously, to consider whether means may not be found, compatible with the vigorous prosecution of the war, by which those inconveniences may be remedied, at least in part.

Her Majesty's government are, accordingly, occupied in devising measures which, when matured, may afford some hope of redress for the injuries sustained by British subjects in consequence of the present state of things. The measures to be proposed will be communicated, as soon as they are matured, to the Secretary of State of the United States by Lord Lyons.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

Charles Francis Adams, Esq , *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 81.]

Legation of the United States,
London, November 29, 1861.

Sir : I have the honor to transmit herewith the copy of a note addressed by Earl Russell to me on the 26th instant, in reply to mine on the subject of the revocation of Mr. Bunch's exequatur. I likewise subjoin a copy of my note addressed to him in answer. I have confined myself almost entirely to those portions in which his lordship calls my positions into question, and have left his declarations of future intentions to be dealt by the government if it be deemed worth while to continue the discussion. Other matters are so constantly occurring of a more imperative nature as to render this of very secondary consequence. It is plain, from the turn which has been taken in the newspapers of this morning, that the law officers of the crown have modified their original position so far as to deny the right of the United States government to take out persons when they do not take papers and things. In other words, Great Britain would have been less offended if the United States had insulted her a great deal more. There is little reason to doubt that the same steamer which bears this will carry out a demand for an apology and the restoration of the men. I confess that the turn things have taken has given me great anxiety for the fate of my unhappy country. But I shall await with resignation the instructions which will probably close my mission.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

Foreign Office, *November* 26, 1861.

The undersigned, her Majesty's principal secretary of state for foreign affairs, has received, with much concern, the note which Mr. Adams, envoy extraordinary and minister plenipotentiary of the United States at this court, addressed to him on the 21st instant, in which he announces the result of what Mr. Adams states to have been the calm and impartial deliberation by the United States government upon the question submitted for its decision the necessity which that government feels itself under to revoke the exequatur of Mr. Robert Bunch, her Majesty's consul at Charleston.

In discussing this matter, the undersigned will put aside all allegations of the unknown letter-writer concerning Mr. Bunch's supposed conversation referred to in a former communication of Mr. Adams; for it may now be affirmed that those allegations, unsupported as they are by any proof, were entirely unfounded.

Neither will the undersigned take any notice of the charge made against Mr. Bunch that his conduct has been that of a partisan of faction and disunion, because that charge is equally unsupported by any proof whatever, and is equally unfounded.

The withdrawal of Mr. Bunch's exequatur does not, however, appear to rest upon these unfounded allegations, nor on these groundless charges. It is said to rest upon a law of the United States, of which it is said her Majesty's government might pardonably have been ignorant, but which Mr. Bunch was bound to have brought to their notice.

This law, as Mr. Adams affirms, forbids, "under a heavy penalty, any person not specially appointed, or duly authorized by the President, whether citizen or denizen, privileged or unprivileged, from counselling, advising, aiding, or assisting in any political correspondence with the government of any foreign state whatever, with an intent to influence the measures of any foreign government, or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of their government."

Taking Mr. Adams's description of this statute as full and accurate, the undersigned has to remark that the statute seems to have been enacted for the purpose of preventing citizens or denizens of the United States from aiding or counselling foreign governments with regard to their disputes with the United States.

If this be so, Mr. Bunch, having no mission or instruction to aid or counsel a foreign state at enmity with the United States, and not having done so, would have no reason to suppose that a statute made "*alio intuitu*" could be so construed as to apply to his execution of the instructions he had received from her Majesty's government; and therefore there could be no reason why he should have brought to the notice of her Majesty's government an United States statute which had no bearing whatever upon anything which he was instructed to do.

The undersigned has further to remark that the United States government, by their quotation of the statute in question as the foundation on which they rest their complaint against Mr. Bunch, seem distinctly to admit that the government of the Confederate States at Richmond is, as regards the United States, "the government of a foreign state"—an admission which goes further than any acknowledgment with regard to those States which her Majesty's government have hitherto made. But if the Confederate States are, as Mr. Adams's note implies as regards the United States, a foreign state, then the President of the United States has no competence, one way or the other, with respect to the functions of the consuls of other governments in that foreign state, and the exequaturs of such consuls can be granted or withdrawn only by the government of such foreign state, for the Confederate States cannot be at one and the same time "a foreign state" and part of the territory of the United States.

But there is a further question raised by the United States government which is of deep and urgent importance. Mr. Adams is instructed to say that any communication to be addressed to the government of the so-called Confederate States respecting the goods of a belligerent on board of neutral ships, or the goods of a neutral on board of belligerent ships, should have been made by diplomatic and not by consular agents; and that the "only authority in the United States to which any diplomatic communication whatever can be made is the government of the United States itself."

Mr. Adams must be aware that this assertion raises grave questions both of fact and of law. In the first place, when her Majesty's government are gravely told that an application to the Confederate government for redress ought to be made through the President of the United States, they might well ask whether such a position is seriously laid down, and whether the President of the United States can affirm that in the present condition of things he has the power to give effect to any such application which might be made to him. For instance, a British subject at New Orleans or Galveston might be carried away by force to serve with the confederate troops; could the President of the United States set him free? might he not be killed in battle by a ball or a bullet from the United States army as the only release he could obtain from President Lincoln from his compulsory service? Again: the private debts due to a British subject in Louisiana or in Arkansas may be confiscated and paid into the public treasury of the State by a law or decree of the so-styled Confederate Congress; could the President or Secretary of State of the United States obtain the recovery of these sums; or could he secure immunity from confiscation for the landed property of British subjects in the eleven Confederate States?

If the President of the United States cannot do this, the course of proceeding suggested by Mr. Adams would be altogether illusory.

But next as to a question of international law. Her Majesty's government hold it to be an undoubted principle of international law, that when the persons or the property of the subjects or citizens of a state are injured by a *de facto* government, the state so aggrieved has a right to claim from the *de facto* government redress and reparation; and also that in cases of apprehended losses or injury to their subjects, states may lawfully enter into communication with *de facto* governments to provide for the temporary security of the persons and property of their subjects.

Acting upon this last-mentioned principle, her Majesty's government entered into concert with the government of the Emperor of the French in regard to certain articles of the declaration of Paris.

The result was an instruction which was to be carried into effect by the British and French consuls at Charleston, and they both executed their commission unostentatiously but effectively.

It may be necessary in future, for the protection of the interests of her Majesty's subjects in the vast extent of country which resists the authority of the United States, to have further communications both with the central authority at Richmond and with the governors of the separate States, and in such cases such communications will continue to be made, but such communications will not imply any acknowledgment of the confederates as an independent state.

The undersigned has read with sincere pleasure the testimony voluntarily borne by the President of the United States to the care with which Lord Lyons has respected the sovereignty and the rights of the United States, and the undersigned feels it right to say that in very difficult circumstances the conduct of Mr. Adams, while upholding the authority and interests of his own government, has been such as to acquire the esteem and respect of the government of her Majesty and of the British nation.

The undersigned requests Mr. Adams to accept the assurance of his highest consideration.

RUSSELL.

Charles Francis Adams, *&c., &c., &c.*

Mr. Adams to Earl Russell.

Legation of the United States,
London, November 29, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States, has the honor to acknowledge the reception of a note from the right honorable Earl Russell, her Majesty's principal secretary of state for foreign affairs, dated the 26th instant, in answer to a previous one of his own, dated the 21st instant, announcing the decision of the government of the United States to withdraw the exequatur of Mr. Bunch, her Majesty's consul at Charleston, in South Carolina. The undersigned will do himself the honor to transmit his lordship's note for the information of his government by the first opportunity.

The undersigned, disclaiming any desire to continue discussion upon a painful topic one moment longer than a necessity for it shall continue to exist, yet feels as if he could not, in justice to himself as well as to his own government, omit this opportunity to explain some passages of his former note, which appear to him to have been in a degree misunderstood by Earl Russell. He confesses himself at a loss to comprehend in what manner he should have been so unfortunate in his use of language as to give ground for his lordship's statement "that the United States government, by their quotation of the statute to which reference has been made as the foundation on which they rest their complaint against Mr. Bunch, seem deliberately to admit that the government of the Confederate States at Richmond is, as regards the United States, the government of a foreign state—an admission which goes further than any acknowledgment with regard to those States which her Majesty's government have hitherto made." If the undersigned have given just cause for any construction of the action of his government approximating to that indicated in the preceding extract from his lordship's note, then has he indeed committed, in his estimation, a most grave mistake. But on a careful re-examination of his note of the 21st, the undersigned must be permitted to say that he has found some difficulty in perceiving anything that appears to him to be ambiguity in his meaning. He discovers only one government of a foreign state alluded to, and that is obviously her Majesty's government. The other party, in his own mind, were the rebellious insurgents in arms against the authority of the United States, which he was very far from characterizing in the manner indicated by his lordship. The purpose of the law seems to the undersigned to have been severely to punish all persons, whether native or foreign, citizen or privileged, who knowingly made themselves instruments of foreign states to foment factious disturbances within the United States. It appears to have been enacted during the troubled period of the French revolution, when interference with the domestic affairs of neighboring nations was an avowed principle of action, and was therefore boldly acted upon even by the recognized agents of the French authorities. The undersigned, therefore, in applying the principle of the law in a mitigated form to Mr. Bunch and his alleged intermixture with the disputes and controversies going on within the United States, surely cannot have made so great a mistake as to have assumed that he was dealing with "the government of a foreign state." He has considered Mr. Bunch as an officer of her Majesty's government, formerly recognized by the government of the United States for certain purposes of commerce, who has been engaged in political correspondence as well with his own government as with rebellious insurgents in the United States for purposes foreign from those which were assigned at the time he received his authority, and for that reason that he has knowingly violated the law. At the same time the undersigned took great care in expressing his firm belief that her Majesty's government, in directing their agent in the manner indicated, could not have been aware of the nature and character of that law—a belief which he is happy to find, by his lordship's present mode of considering it, to have been well founded.

But much as the undersigned found of difficulty in regard to the misconception he has been so unfortunate as to originate in his lordship's mind of this view of a law of his own country, he has been still more embarrassed to learn the fact that in his statement of what appeared to his mind true in its application to all governments, and undeniable in respect to the government of the United States, he has not enjoyed the satisfaction of his lordship's concurrence of opinion. This statement was that "the only authority in the United States to which any diplomatic communication can be made is the government of the United States." If the undersigned had been led in any way to vary this proposition he would have deemed himself to have gone much further in the road to recognition of "the government of a foreign state" within the United States than he did in that mistakenly attributed to him by his lordship. Surely it could not have been his lordship's intention to present the proposition that the same diplomatic agent of a foreign power can be accredited to the government of a country and to the self-constituted authorities of a portion of the people who are * * * waging war to overthrow it. Applying this argument to the question of Mr. Bunch, his case resolves itself into this: That holding his authority to act in an official relation as an officer of a foreign government from the recognition of the authorities of the United States, they are expected to acknowledge his right whilst acting in this capacity, at the same time to treat with any of their own citizens who defy their authority whenever it may be deemed advisable by that government. Surely such a proposition, if accepted, would seem to undermine the foundations of sound international relationship all over the world. Surely no government, entertaining a proper degree of self-respect, would consent for a moment to receive any representative of a foreign nation if his first act might be to attempt to undermine the authority to which he had been accredited by recognizing for any purpose the validity of a domestic antagonism within its limits.

The undersigned is not insensible to the force of his lordship's argument in regard to the necessity imposed upon it of protecting the interests of British subjects in those regions where the authority of the United States is suspended, as well as the difficulty of calling upon the government of the United States to make good the damage that might ensue from the acts of persons now in armed resistance. Doubtless it must have been under considerations like these that her Majesty's government was induced to release that of the United States from responsibility for such reclamations by adopting the policy of granting to the insurgents the rights of a belligerent. Without entering into the wide field of discussion presented by the arguments of his lordship, the undersigned contents himself with the remark that whatever may be the course of action her Majesty's government deems proper to lay down for itself in regulating its relations with the insurgent forces in the United States, it will scarcely be disposed to require of the government of the United States that it should recognize the agents through whom they may be carried on. The objection to Mr. Bunch's action is that, whilst he has been enjoying, as consul of her Majesty in the United States, the advantages of a solemn recognition of the United States, he has been engaged in official proceedings in violation of the law, as well as outside of any authority with which they ever consented that he should be vested.

That the latter part of the statement is that the fact would scarcely seem to admit of the possibility of a doubt. But inasmuch as the undersigned is not altogether sure that he has placed the matter so fully before his lordship as his duty to his country seems to him to require, he trusts he may be permitted to enlarge upon it a little further. The position of Mr. Bunch, in regard to the United States, had been exclusively that of a consul of a foreign nation at a commercial port. That such a position does not of itself involve the right of diplomatic negotiation with the recognizing government, much less with any subordinate authority, is too well established by law to need further elucidation. The only question that remains for consideration is * * * then whether the authority actually vested in Mr. Bunch by her Majesty's government to enter into communication with the insurgents in the United States touching certain articles of the declaration of Paris to which their acquiescence was to be obtained was of a diplomatic or purely of a consular nature. The proper answer to this is to be found in an appeal to the mode in which, from its very commencement, the declaration of Paris has been permitted to take its shape. In its origin it was the result of a conference of the accredited envoys of the great powers, and in all the later steps taken to secure the acquiescence of different nations, including the United States, the agency used has been that of the customary diplomatic representatives. It therefore admits of no doubt, in the mind of the undersigned, that the declaration of Paris is a pure diplomatic act, and that all negotiations since carried on to extend its authority, including that which the undersigned himself had the honor to carry on with his lordship for a time, bear the same exclusive character. It is, then, plain to the mind of the undersigned that the government of the United States in objecting to the assumption by an officer of a foreign government recognized by it only as vested with the authority of a consul of diplomatic authority to treat within the limits of the United States, and without its knowledge or consent, with persons acting as an armed resistance to it, has justification fully sufficient to sustain its decision to withdraw the formal act of recognition of such officer. To suppose it capable of a different course would seem to be to condemn it as unworthy of the character for honor and independence to which it has ever endeavored to aspire.

In conclusion, the undersigned desires to express his personal obligations to Earl Russell for the friendly notice he has been pleased to take of his labors in the arduous and difficult mission with which he has been charged. It gives him great pleasure to be able on his part to testify to the uniform courtesy and good will with which he has been treated in all his relations with her Majesty's government.

The undersigned prays Earl Russell to receive the assurances of his most distinguished consideration.

CHARLES FRANCIS ADAMS.

Right Hon. Earl Russell, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 143.]

Department of State,
Washington, December 13, 1861.

Sir: Your despatch of November 22, No. 74, has been received.

Your note to her Britannic Majesty's principal secretary for foreign affairs on the subject of the withdrawal of the exequatur of the late consul at Charleston is approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 144.]

Department of State,
Washington, December 13, 1861.

Sir: Your despatch of November 22, No. 75, was duly received.

We shall hear what Lord Lyons may have to say to us on the subject of the facilities for correspondence of British subjects residing in the insurrectionary parts of the country with pleasure, and with a sincere desire to do whatever may be possible consistently with the safety and welfare of the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

[Extract]

No. 95.]

Legation of the United States,
London, December 27, 1861.

Sir: Although many of the leading presses zealously continue their efforts to keep up the war feeling here against the United States, I think the signs are clear of a considerable degree of reaction and a growing hope that the friendly relations between the two countries may be preserved. Of course everybody is waiting to hear of the issue of the demands transmitted by the Europa. Much gratification has been expressed at the publication of the despatch addressed by M. Thouvenel to the government through M. Mercier, as also the treatment of the question of the Trent by M. Hautefeuille. Indeed, the harmony of sentiment on this subject is so general throughout Europe as to have very much increased the confidence of the British ministry in their position. They are even disposed to put up, with unusual patience, with the severe reflections made on the past policy of Great Britain in consideration of the substantial advantage they gain in the immediate dispute. Unquestionably the view of all other countries is that the opportunity is most fortunate for obtaining new and large modifications of international law which will hereafter materially restrain the proverbial tendency of this country on the ocean. My own opinions to the same effect have been already so freely expressed that it is needless, if it were not also superfluous, to repeat them, especially now that the decision is probably complete.

But even if it should be possible to escape the immediate danger from the present difficulty, my confidence in the tendency of things towards peace in this country has been so much shaken as to make the prospects for the future quite doubtful. Parliament will probably assemble somewhat earlier than has been anticipated, perhaps by the 16th of January. It will then be impossible to avoid a general expression of opinion upon American affairs. Of what a character that will be, some idea may be formed from the various addresses made during the recess by members to their respective constituencies. As usual in all deliberative assemblies having freedom of speech, the popular tendency will be towards the most positive doctrines. The war party will in this particular enjoy the advantage, which they will not fail to use with effect against the ministry of Lord Palmerston, especially if there be the smallest opportunity of reproaching it for any concession on a point of honor. Even if in this particular they should find it difficult to make an issue, they will not fail to go on and urge the application of a limit to the law of blockade, as well as to the refusal to recognize a *de facto* government. In both these cases the ground has been already broken by the public press, and by particular members. So that although Lord Russell, in a portion of his latest conversation with me, affirmed that we should have full opportunity given to us of trying our experiment of overcoming the rebellion before action on their part, it is not quite clear to my mind that he will very long retain the power to make his words good. I have felt it my duty at this time to enter into such speculations, solely because I think I ought to prepare your mind for the possibilities that may follow a settlement of the immediate difficulty. Neither do I wish to undervalue the amount of sympathy and good will that may be brought into play to avert the threatened danger. It is from the friends of our government that I gather most of my conclusions. And one of them is that nothing but very marked evidences of progress towards success will restrain for any length of time the hostile tendencies developed by the case of the Trent.

I am happy to say that I have seen and conferred repeatedly both with Bishop McIlvain and Mr. Weed. I think their services have already been of material use, and that they will be of still more hereafter if peaceful relations should be preserved. The industry of the confederate emissaries in poisoning the sources of opinion, as well as in disseminating wholly erroneous notions of the nature of the struggle in America, has been unvaried. And where the seed has fallen on favorable ground it has germinated strongly and fructified well. But the effort to conceal the true issue and to substitute a false one has failed. The progress of affairs in America is daily more and more exposing its real character. Much as the commercial and manufacturing interests may be disposed to view the tariff as the source of all our evils, and much as the aristocratic classes may endeavor to make democracy responsible for them, the inexorable logic of events is contradicting each and every assertion based on these notions, and proving that the American struggle is, after all, the ever-recurring one in human affairs between right and wrong, between labor and capital, between liberty and absolutism. When such an issue comes to be presented to the people of Great Britain, stripped of all the disguises which have been thrown over it, it is not difficult to predict at least which side it will not consent to take.

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I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward, *Secretary of State,*
Washington, D. C.

Mr. Adams to Mr. Seward.

No. 102.]

Legation of the United States,
London, January 17, 1862.

Sir: I have now received copies of all the papers connected with the affair of the Trent. The result is in the highest degree satisfactory.

I need not add my testimony to the general tribute of admiration of the skilful manner in which the various difficulties and complications attending this unfortunate business have been met or avoided. Thus far, in spite of all efforts sedulously made to the contrary, the effect on public opinion has been favorable.

The publication of the foreign correspondence during the past season, as well as of the latest despatches, has materially corrected the old notion of determined hostility on your part to Great Britain, which has been used so mischievously for months past. On the whole, I think, I may say with confidence that matters look better. Last Saturday I called, at the request of Lord Russell, at the foreign office, when his lordship read to me the despatch which he was then on the point of sending off to Lord Lyons. We thereupon exchanged congratulations on the complete restoration of friendly relations between the two countries.

Since that time not only the correspondence already published in America has been printed by authority in the London Gazette, but the later papers written on this side, including the very last, being that which was read to me. You will doubtless notice with some curiosity the earlier one, being Lord Russell's note of the substance of the conversation held with me on the 19th ultimo, at the time I read to him your confidential despatch to me of the 30th of November. The circumstances attending that affair have given rise to so much speculation, both here and on the continent, and have led to such sharp controversy in the London newspapers, that it may be advisable that the government should understand them correctly. Considering the paper as confidential, of course I took good care that no knowledge of its substance or of the substance of the conference should be extended beyond the limits of this legation. Yet the fact is certain that on the strength of an impression of the occurrence of some such event the funds rose one per cent. on the very next day.

So general was the idea that the Morning Post, a paper considered here, and not without reason, as deriving information from high sources, thought proper to notice the rumor on the 21st December, and deliberately to affirm that though a despatch had indeed been communicated, yet that it had reference to other unimportant matters, and *in no way related to the difficulty about the Trent.* Some days later, however, in a summary of the events relating to that case published in the Observer, a weekly paper published on Sunday morning, supposed also to be now and then supplied with authentic information, I noticed at the conclusion a tolerably correct version of the substance of that despatch. After the appearance of that, I had no hesitation in disclosing to persons with whom I conversed my knowledge of its correctness. It was, then, with no little surprise that they perceived last week, when intelligence was received from America of the existence of such a paper, a formal denial in the Post that any such paper had ever been communicated to the British government. No longer able to deny the existence of it, the next step was to affirm that I must have suppressed it. And, not satisfied with that, the same press went on to supply a motive for doing so, in the fact that certain American parties had about the same time appeared in the market buying up stock, which was the cause of the rise in the funds already alluded to. Of course the insinuation was that I was engaged in a heavy stockjobbing operation for my own benefit and that of my friends. The motive for this concoction of a series of falsehoods which were inevitably to be exposed in a very short space of time, seemed difficult to divine. The explanation came almost on the heels of the charge. Lord Russell's note to Lord Lyons of the 19th of December gave his version of the conversation held on that day. The case was clear to all eyes. But to this day the Post has made no retraction of its statement, has not assigned the smallest justification for making them, neither has it disclaimed the authority upon which they are imputed to have been made. So great has been the effect of these disclosures in inspiring a belief that there was an intention somewhere to bring on a war, that it is not impossible it may be made the basis of some proceedings at the approaching session of Parliament.

You will doubtless also perceive that Lord Russell's note of our conversation on the 19th differs in some particulars from that which I had the honor to submit to you in my despatch of the 20th of December, No. 93. The reason of this is to be traced to the distinction which his lordship voluntarily drew between my official and unofficial character at the outset. I understood him as intending to answer my two questions only in my private capacity, as a person desirous of making my own arrangements in certain contingencies. For that reason I did not consider the part of the conversation relating to them as needing to be reported. The other portion of his note, touching the substance of your despatch, substantially agrees with mine. The casual opinions expressed about the policy of the respective countries were not regarded by me as part of the official language, though I have not the least objection to their publication. Whilst his lordship was about it he might as well have inserted his reply to my reference to the part taken by the government of Great Britain in the negotiation of 1804–'09, which was in substance that there were many things said and done by them fifty or sixty years ago which he might not undertake to enter into a defence of now—all which was said pleasantly on both sides, without an idea that the official conference was not closed. Yet so difficult is it to retain in the memory a distinct line between formal and casual conversation that I have no disposition in any way to call in question his report, which, so far as it goes, is undeniably more accurate than my own. What I have here written about it is to account to you for what might otherwise appear an omission of duty on my part.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

[Extract.]

No. 103.] LEGATION OF THE UNITED STATES,
London, January 17, 1862.

SIR: * * * * * * * *
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I have reason to believe that the removal of the *casus belli* in the Trent affair, has proved a most serious obstacle in the way of all the calculations made by the party disposed to sow dissension between the two countries. The expectations that have been raised of a pressure from the manufacturing classes to break the blockade in order to obtain cotton are likewise declining. The stock is yet quite large, and, taken in conjunction with what is known to be coming, it is believed to be sufficient to keep the mills going at the present rate for six months longer. The large manufacturers have become pretty well reconciled to the reduction of their product, from a conviction that the business had already been overdone, and must have ceased to yield any returns had it been continued longer on the former scale. Such being the ruined condition of the old programme, it has been found necessary to direct attention to the preparation of something new. The chief support of the latest schemes is to be traced to the supposed policy of the Emperor of the French. It is believed here that he has already made overtures to the British government to enter a protest against the blockade as in manner and substance too cruelly effective in some respects and very ineffective in others. It is also affirmed that he begins to consider it time to agitate the subject of recognition of the Confederate States. I cannot say that the evidence that has been furnished to me on these points is entirely satisfactory, but it is sufficiently so to make it my duty to mention it. Doubtless your sources of information in Paris will give you more precise knowledge of the truth than I can do here. My main purpose in alluding to it is to call your attention to a singular development made of the policy adopted by the confederate emissaries here with a view to fortify the movement of their allies in this country. The substance of it has been disclosed by a publication in the Edinburgh Scotsman, a well-conducted paper, whose sources of information I have heretofore found to be good. I take from its issue on Saturday last, the 11th of January, the following extract:

"There exists in London an active and growing party, including many M. P.'s, having for its object an immediate recognition of the southern confederacy, on certain understood terms. This party is in communication with the *quasi* representatives of the south in London, and gives out that it sees its way to a desirable arrangement. Our information is that the south, acting through its London agents, is at least willing to have it understood that, in consideration of immediate recognition and the disregard of the 'paper blockade,' it would engage for these three things: a treaty of free trade, the prohibition of all *import* of slaves, and *the freedom of all blacks born hereafter*. It will easily be seen that if any such terms were offered (but we hesitate to believe the last of them) a pressure in favor of the south would come upon the British government from more than one formidable section of our public."

I have reason for believing that some such project as this has been actually entertained by the confederate emissaries. The pressure of the popular feeling against slavery is so great here that their friends feel it impossible to hope to stem it without some such plea in extenuation as can be made out of an offer to do something for ultimate emancipation. Of course no man acquainted with the true state of things in America can believe for an instant the existence of one particle of good faith in any professions of this kind that may be countenanced by the rebel emissaries here. But I have thought it might not be without its use to recommend that the fact of their sanction of such an agitation should be made known pretty generally in the United States, especially among the large class of friends of the Union in the border States. If the issue of this contest is to be emancipation with the aid of Great Britain, surely the object for which the rebellion against our government was initiated—the protection and perpetuation of slavery—ceases to be a motive for resisting it further. If the course of the emissaries here be unauthorized, it ought to be exposed here to destroy all further confidence in them. If, on the contrary, it be authorized, it should be equally exposed to the people in the slaveholding States. In either event the eyes of the people both in Europe and America will be more effectually opened to a conviction of the nature and certain consequences of this great struggle.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 105.]
LEGATION OF THE UNITED STATES,
London, January 24, 1862.

SIR: The only event of any importance connected with American affairs that has happened during the last week is the revocation of the orders prohibiting the exportation of arms and munitions of war. This will release the large quantity of saltpetre in the hands of parties here, and will probably renew the activity of the confederate emissaries in forwarding supplies to the insurgents. Mr. Davy reports to me the arrival of the Bermuda at Hartlepool. Though it is denied that she is to be despatched again, I am inclined to believe it only a pretence in order to quiet suspicion. In the meanwhile the relative position of the Nashville and of the Tuscarora in the harbor of Southampton remains unchanged. On the other hand, the Sumter, having been warned to leave Cadiz, has put into Gibraltar, after capturing two vessels. This tendency to take refuge in British ports is becoming so annoying to the government here that I shall not be surprised if the limit of twenty-four hours' stay be soon adopted.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 171.]
DEPARTMENT OF STATE,
Washington, January 31, 1862.

SIR: Your despatch of January 10, No. 99, has been received.

If it be true, as you seem to think possible, that we have only averted an occasion for the hostilities which the British government indicated, and have not at all removed the cause of those hostilities, we still have every reason to be satisfied with our course in the Trent affair. The American people could not have been united in a war which, being waged to maintain Captain Wilkes's act of force, would have practically been a voluntary war against Great Britain. At the same time it would have been a war in 1861 against Great Britain for a cause directly the opposite of the cause for which we waged war against the same power in 1812.

We shall practice towards Great Britain not only justice, but moderation, and even liberality, in all the exciting transactions which this unhappy domestic contest of ours shall produce. We have not left Great Britain in doubt of our own confidence in our ability to maintain the integrity of the Union, or of our grounds for it, notwithstanding the embarrassment which we experience in the indirect support which the insurgents derive from nations whose rights we have invariably respected. We are not unaware, nor do we complain of the impatience in Europe which exacts from us quick and conclusive victories. We can excuse it because, even among ourselves at home, there is a failure to apprehend that the insurrection has disclosed itself over an area of vast extent, and that military operations, to be successful, must be on a scale hitherto practically unknown in the art of war. At the same time we are not unaware of the fact that the impatience of European nations is due chiefly to the inconveniences which they suffer from the contest, and not to a careful consideration of the strength and energies of the parties engaged in it. We have every motive they can have, and many other infinitely stronger motives, for bringing the war to the speediest possible successful conclusion. We expect that Great Britain will realize not only this truth, but another important one, namely, that any solution of this controversy by a division of the Union would be detrimental to British commerce and to British prestige. Believing this, we expect that Great Britain will not become a party in the contest against the United States. If, insensible to these considerations, the British government shall intervene, then we must meet the emergency with the spirit and resolution which become a great people.

The tone of the public virtue is becoming sounder and stronger every day. Military and naval operations go on with success, hindered only by the weather, which, for almost a month, has rendered the coasts unsafe and the roads impassable.

I have observed that the British people were satisfied with the vigor and the energy of the preparations which their government made for the war which they expected to occur between them and ourselves.

It may be profitable for us all to reflect that the military and naval preparations which have been made by this government to put down the insurrection have, every day since the first day of May last, equalled, if not surpassed, the daily proportion of those war preparations which were regarded as so demonstrative in Great Britain.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 172.]

Department of State,
Washington, January 31, 1862.

Sir: I learn from reports received at the Navy Department from the commander of the American steamer Flambeau that, although the United States nave a deposit of coal at Nassau, our steamers are denied the right of taking it for use by the colonial authorities at that place.

I do not send you a formal statement of the fact, because, although it is presumed that those authorities have not acted under instructions from London, yet that they nevertheless must themselves have reported their proceedings to the home government. Justified, as I think, by this circumstance in assuming that the fact which I thus bring to your attention is already known to Earl Russell, I have to request you to ask from him an explanation of the proceeding, and to inquire whether we are to understand that the colonial ports are to be closed against our vessels-of-war when entering them for coal, or that such vessels are to be denied the right of supplying themselves from stores of our own lying in such ports. Liberal as we are in all our intercourse with the British government in American waters, the President declines to believe that that government has sanctioned or will sanction the proceedings of the authorities at Nassau. Should you find this to be the fact, you will suggest to Earl Russell our desire that proper instructions may be given to the authorities there.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 109.]

LEGATION OF THE UNITED STATES,
London, January 31, 1862.

SIR: The expectations of a declaration of some kind from the Emperor of the French on the subject of the American difficulty which might be made the basis of an agitation here have been disappointed. Whatever is to be done must be originated in Parliament by the avowed friends of the rebels. All the particular grounds of complaint against the United States have been successively removed from under them. The parties seized in the Trent are now safe on this side of the Atlantic. The blocking up of Charleston harbor is shown to be no real grievance. The inefficiency of the blockade is the only remaining proposition which it is attempted to support by evidence. Even that would be met by proof drawn from the admissions made by the insurgents at home, if it could have been supplied in a tolerably authentic form. I regret that I have not at my command any official tabular statement of the number of vessels turned off or taken during the period of blockade, or evidence of the price of the various commodities of foreign growth or manufacture rendered scarce by the operations of the blockading force. But inasmuch as the government is obviously disinclined to sustain an objection of this kind just now, the probability is that nothing will be made out of it. There is, then, not a particle of solid material for the dissatisfaction with the government of the United States, based on its own policy, to make a quarrel out of. Resort must then be had to the simple objection that the rebellion has not been suppressed. This will be urged as justifiable cause for early recognition; and upon that issue the sense of the House of Commons will probably be sooner or later taken. At this moment it is impossible to estimate the strength of parties, or the character of the division. The impression is that the conservatives generally favor such a measure, of which thus far I see no evidence beyond the general tendency of one or two newspapers in that interest, which I have had occasion to suspect not to be trustworthy organs. I am rather inclined to the belief that this subject has not yet become a party question in the eyes of the members of either side. Each individual, therefore, indulges his particular opinion. There is no knowing how soon it may become so. That will depend upon the chances of making anything out of it in case of a conflict. The ministry are notoriously feeble in Parliament, whilst the conservatives are strong only whilst confining themselves strictly within a negative position. Hence the situation of both parties rests equally upon an avoidance, at least for the present, of test questions. Lord Palmerston is sufficiently popular to make it hazardous to attempt to dislodge him by a *coup de main* in Parliament, which would inevitably be followed by a formidable opposition headed by him. The more eligible course has thus far been thought to be to await the moment, which cannot be long delayed, of his retreat, when Lord Derby is expected to be summoned to take his place with the consent of all but the radical section of the people. This will be an era for a reconstruction of parties.

Such has been the programme down to the assembling of Parliament. What shape things may take afterwards it is impossible to predict. That the American question is to be a serious element in any calculation of its action everything conspires to make us believe. I shall endeavor, so far as it may be within my power, to keep you informed of the movements as they occur.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 178.]

DEPARTMENT OF STATE,
Washington, February 4, 1862.

SIR: The Africa came so late that I had only time, before the then next mail day, to acknowledge the receipt of your despatch No. 102, in a paper which was devoted to subjects different from those you have discussed.

I am gratified with the information that, in your opinion, the mind of the government, as well as that of the British nation, is now somewhat disabused of the very unjust idea that this government entertains sentiments of hostility towards them.

I transmit herewith a copy of an unofficial letter I have sent to Lord Lyons, together with a copy of a letter that, amid the intensest heat of the late excitement, I had occasion to address to his excellency the governor of the State of Maine. This correspondence may perhaps be properly used for the purpose of more effectually removing impressions so unjust to us and dangerous to the peace of the two nations.

Some correspondents and many journals write to us that the Parliament and the Chambers are to be pressed into discussions designed to induce Great Britain and France to recognize the insurgents and intervene to raise our blockade. I have already made some suggestions to you with a view to counteract those dangerous designs. I am not aware that I can now profitably do more in that direction.

I turn, therefore, to another subject. Let us suppose that the European states had been content to leave the insurrection unnoticed until now. Does any one believe that in that case a single European vessel engaged in lawful trade would have ever been molested by the insurgents, who have not been able to possess, occupy, and keep open, one solitary port on the whole coast of this continent.

Does any one believe that, in the case supposed, a single piratical insurgent vessel would have been found demanding entrance into an European port with trophies, spoils, or captives taken from American merchantmen sunk or burned in European waters? Does not every one see that, in that case, the unseemly scenes recently enacted in the ports of Cadiz and Southampton could never have occurred? Toward what end have these and all other such unhappy occurrences led but the prolongation of a strife now only less injurious to European interests than to our own, while it is demoralizing political society in all nations?

Now, when passion and alarm are subsiding in Europe, may there not be found in the government and in the Parliament of Great Britain statesmen who will see that the true path to peace is in retracing the steps which only lead through disastrous conflict upon the soil of this continent between this truly popular and long-established government and those who would subject it all to the power of slavery rather than conform their political institutions to the spirit of the age?

You are not expected to present these suggestions formally to the British government, but, being just in themselves, you will use them, in your discretion, to promote the great interests of both countries.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

P. S.—I also enclose to you herewith a printed copy of the proceedings of the legislature of Maine on the subject of the passage of British troops through that State.

Mr. Seward to Mr. Adams.

No. 179.]

DEPARTMENT OF STATE,
Washington, February 5, 1862.

SIR: Your despatch of January 17, No. 103, fell upon the department as merely a small part of the largest foreign mail ever received here, and only after such delays as left insufficient time to dispose of the same before the departure of the outgoing steamer.

I approve entirely of your proceeding in regard to the Nashville, while I hail the solicitude of the British government for the preservation of peace in the British waters as a favorable indication. I have given to the Navy Department the information received from you concerning the probable attempt to transfer the Nashville to British owners.

I have given to Mr. Perry substantially the same ideas which I have expressed to yourself in regard to the uselessness to European maritime powers of a policy on their part which invites only insurgent privateers and repels loyal American commerce from their ports. It is easy to see that this is the effect of a premature recognition of the insurrection as entitled to belligerent rights.

We hear from various correspondents, as you do, that France proposed three months ago to Great Britain a recognition and intervention to break the blockade.

The communication of this kind which appeared to wear the highest character for authority was said to have come from the innermost circle of the British government. We have not credited it for this, among other reasons, namely: Lord Lyons, who, although a man of prudent reserve, is, at the same time, entirely truthful, has frankly told me that he knows nothing of the matter, while the French minister, who is a very frank and friendly person, denies all knowledge of any such purpose. Further, Mr. Thouvenel's communications with us, made before and after the settlement of the Trent affair, are of such a character as to exclude a belief that France was, indeed, proposing to Great Britain a plot for the dismemberment of the Union. Moreover, I am slow to believe that either the government of France or the government of Great Britain misunderstand the true interests of their own country so much as to desire the dissolution of the Union, especially a dissolution to be effected by European intervention, and with the purpose of establishing a slaveholding power on the borders of the Caribbean sea.

We have unmistakable evidence that sympathizers with the secessionists will inaugurate a debate and motion for recognition in Parliament. Nor will I deny that I indulge some apprehension of the result. But, at the same time, I am not conscious of having left anything undone that could be done to enlighten the British government and the British public upon the merits of the question. The solution of it must be left to those who are expected to assume the responsibility. One thing is certain, so far as any future political event can be, and that is, that neither with nor without foreign aid will this Union be permitted by the American people to fall.

I cannot close this despatch without expressing especial acknowledgments for the care and candor with which you have sifted the thick rumors of mischief, and given me what was worthy of consideration.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

[Extract.]

No. 112.]

LEGATION OF THE UNITED STATES,
London, February 7, 1862.

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SIR: I have the honor to transmit herewith a copy of her Majesty's speech to both houses of Parliament, together with the Morning Post newspaper of this morning, giving a report of the debate in the two houses yesterday on the address. It will be perceived that both Lord Russell and Lord Palmerston announced, quite distinctly, the intention of the government to maintain its present position. The position of Lord Derby, on the other hand, is somewhat equivocal, and would seem to imply an organized movement, if it were not for the firmer tone of Mr. D'Israeli in the other house. On the whole, the expression of sentiment, so far as it goes, is favorable. The debate will, however, take quite a different shape when it comes to the questions presented in detail. There is no reason to doubt that a movement will then be made in whatever direction may be thought most likely, at the moment, to be favorable to the insurgents. The earnestness with which it will be pressed will largely depend on the nature of the intelligence received from the United States.

I beg, therefore, once more to urge the propriety of supplying this legation with as much authentic information as possible of the condition of the struggle, especially of the state of the blockade, the internal condition of the disaffected States, and the progress of the war. Speculation is at this moment of little use. Our friends want their hands strengthened, both in the power of affirming our action and denying that assumed by the friends of the rebels. I do not like to be obliged to confess, when asked questions by persons who ought to know, touching the movements and policy of the government, that I am not able to answer them. I do not include in this category the inquiries most frequently addressed to me touching emancipation, although public opinion here is more sensitive to that chord than to any other. The rumor of propositions on that subject from the confederates is kept up as strenuously as the denial that the disposal of it enters at all into the issue raised by the United States. I know not how far the government may itself be possessed of accurate information respecting the domestic situation of the rebels, but the fact is certain that the total ignorance of it on this side is of the greatest possible advantage to their cause. For it enables their unscrupulous and desperate emissaries to palm off, without contradiction, any representation of it they chose to make.

I see by the newspapers that Mr. Yancey has embarked in a steamer to the West Indies, on his way home. He has labored indefatigably upon the newspaper press, and not without a good deal of success. It is said, though I know not with what truth, that large sums have been expended in this direction. The condition of the press is now so peculiar in this country that it is unusually open to such influences. I have not time to explain the reasons for this statement, for they run deeply into the moral and political condition of the people. At some future moment I may make it the subject of a particular communication.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

The speech of the Lords Commissioners to both houses of Parliament, on Thursday, February 6, 1862.

My Lords and Gentlemen:

We are commanded by her Majesty to assure you that her Majesty is persuaded that you will deeply participate in the affliction by which her Majesty has been overwhelmed by the calamitous, untimely, and irreparable loss of her beloved consort, who has been her comfort and support.

It has been, however, soothing to her Majesty, while suffering most acutely under this awful dispensation of Providence, to receive from all classes of her subjects the most cordial assurances of their sympathy with her sorrow, as well as of their appreciation of the noble character of him, the greatness of whose loss to her Majesty and to the nation is so justly and so universally felt and lamented.

We are commanded by her Majesty to assure you that she recurs with confidence to your assistance and advice.

Her Majesty's relations with all the European powers continue to be friendly and satisfactory; and her Majesty trusts there is no reason to apprehend any disturbance of the peace of Europe.

A question of great importance, and which might have led to very serious consequences, arose between her Majesty and the government of the United States of North America, owing to the seizure and forcible removal of four passengers from on board a British mail packet by the commander of a ship-of-war of the United States; but that question has been satisfactorily settled by the restoration of the passengers to British protection, and by the disavowal by the United States government of the act of violence committed by their naval officer.

The friendly relations between her Majesty and the President of the United States therefore remained unimpaired.

Her Majesty warmly appreciates the loyalty and patriotic spirit which have been manifested on this occasion by her North American subjects.

The wrongs committed by various parties and by successive governments in Mexico upon foreigners resident within the Mexican territory, and for which no satisfactory redress could be obtained, have led to the conclusion of a convention between her Majesty, the Emperor of the French, and the Queen of Spain, for the purpose of regulating a combined operation on the coast of Mexico, with a view to obtain that redress which has hitherto been withheld.

That convention, and papers relating to that subject, will be laid before you.

The improvement which has taken place in the relations between her Majesty's government and that of the Emperor of China, and the good faith with which the Chinese government have continued to fulfil the engagements of the treaty of Tien-tsin, have enabled her Majesty to withdraw her troops from the city of Canton, and to reduce the amount of her force on the coast and in the seas of China.

Her Majesty, always anxious to exert her influence for the preservation of peace, has concluded a convention with the Sultan of Morocco, by means of which the Sultan has been enabled to raise the amount necessary for the fulfilment of certain treaty engagements which he had contracted towards Spain, and thus to avoid the risk of a renewal of hostilities with that power. That convention, and papers connected with it, will be laid before you.

GENTLEMEN OF THE HOUSE OF COMMONS:

Her Majesty commands us to inform you that she has directed the estimates for the ensuing year to be laid before you. They have been framed with a due regard to prudent economy and to the efficiency of the public service.

MY LORDS AND GENTLEMEN:

Her Majesty commands us to inform you that measures for the improvement of the law will be laid before you, and among them will be a bill for rendering the title to land more simple, and its transfer more easy.

Other measures of public usefulness relating to Great Britain and to Ireland will be submitted for your consideration.

Her Majesty regrets that in some parts of the United Kingdom, and in certain branches of industry, temporary causes have produced considerable pressure and privation; but her Majesty has reason to believe that the general condition of the country is sound and satisfactory.

Her Majesty confidently recommends the general interests of the nation to your wisdom and your care; and she fervently prays that the blessing of Almighty God may attend your deliberations, and may guide them to the promotion of the welfare and happiness of her people.

Mr. Seward to Mr. Adams.

No. 180.]

DEPARTMENT OF STATE,
Washington, February 10, 1862.

SIR: It seems a mockery to give you accounts of military operations, insomuch as, though my advices are delayed until the last hour before the departure of the mail, they are outstripped by the telegraphic despatches going during two whole days from all parts of the country to the very hour of the sailing of the steamer.

Cloudless skies, with drying winter winds, have at last succeeded the storms which so long held our fleets in embargo and our land forces in their camps.

The Burnside expedition has escaped its perils, and is now in activity on the coast of North Carolina. The great victory at Mill Spring, in Kentucky, has been quickly followed by the capture of Fort Henry, on the Tennessee river, and the interruption of the railroad by which the insurgents have kept up their communications between Bowling Green and Columbus; and the divisions in the west are all in activity with prospects of decisive achievements.

It is now nearly one year since the insurgents began their desperate undertaking to establish a confederacy of the fifteen slave States. At some time within the previous six months they had virtually displaced the flag of the Union in thirteen of those States by stratagem or by force, and it stood in apparent jeopardy in the fourteenth State.

But the process of preparation has steadily gone on in the loyal States, while that of exhaustion has been going on in the disloyal. Only eleven of the slave States are practically subject to the insurgents, and already the flag of the Union stands, as we think, irremovably fixed upon some points in every one of the thirty-four States, except Texas, Alabama, and Arkansas. Congress has come fully up to the discharge of its great responsibility of establishing the finances of the country on a safe and satisfactory foundation. Notwithstanding the protestations of the insurgents that the people of the insurgent States are unanimous in their determination to overthrow the government, we have the most satisfactory evidence that the Union will be hailed in every quarter, just as fast as the army shall emancipate the people from the oppression of the insurgent leaders.

Under these circumstances, you will judge how strangely the assumptions of European papers and politicians that a preservation of the Union is impossible sound to us when they reach this side of the Atlantic.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

[Extract.]

No. 114.]

LEGATION OF THE UNITED STATES,
London, February 13, 1862.

SIR: I transmit herewith a copy of the *Morning Post*, of the 11th instant, containing a report of the remarks made in the House of Lords on the subject of the blockade and of the treatment of British citizens in the United States.

Thus far the indications seem to be much more favorable to the maintenance of the existing relations between the countries than I had ventured to hope. This is partly to be ascribed to the course taken by the ministry, which I fully believe is taken in good faith, and somewhat to the current of intelligence from America for a week or two back, which renders the position of the insurgents much more dubious than it has been regarded heretofore. I have now only to confirm my previous assurances that a fair share of positive success in the field within the present and the next month will leave us free from the danger of any interference from this country, at least for some months to come.

At the same time that I say this, it seems to be my duty not to lose sight of the extreme uncertainty of the political direction of Great Britain at this moment. The ministers have lost so much ground in the elections held during the past season to supply vacancies, as well as by local disaffection in certain quarters, as to deprive them of a sure hold on the majority of Parliament. Their position, therefore, rests upon negatives, or, in other words, the absence of any declared system of policy, upon a part or all of which the opposition can tender a formal issue. On the other hand, Lord Derby and his friends do not yet feel strong enough to take the initiative in a policy of aggression upon which they would be ready to hazard an appeal to the people. This will account for the cautious manner in which they feel round the American question, in order to see if there be a weak place in the ministerial attitude. And so will be their probable action, until they find somewhere a place to make a stand. Should the opportunity be furnished, and the majority side with them, I have good reason to believe the struggle will not be permitted to end there. As this Parliament was originally elected under the strong conservative influences at the moment controlling the government, the attempt will undoubtedly be made to appeal from its decision by a dissolution and a new election. And not until after that event shall have taken place will it be at all possible to make even tolerably correct calculations of the future policy.

If this be in any degree an accurate description of the state of things, I trust that you will perceive at once the importance of keeping in view the possibility of accidentally, or otherwise, supplying a pretext for a division here adverse to the interests of the United States. There are persons enough here anxious to make a point on the foreign policy at a moment when the popular feeling will have become peculiarly sensitive by the distress occasioned by the failure of the cotton supply and the loss of our markets. In this sense it is, I think, that Mr. Cobden has strongly represented the difficulty of long persevering in the blockade. I think I see a good deal of timidity in approaching any question that may involve the necessity of upholding, even in appearance, the cause of a foreign country against the obvious and pressing necessities of this. We understand too well the nature of party tactics in America not to comprehend at once the precise nature of this difficulty. In this sense I am inclined to believe that the happening of the affair of the Trent just when it did, with just the issue that it had, was rather opportune than otherwise. But it has left us utterly unable to make any further concessions that are not clearly and universally perceived to be just.

* * * * * *

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

IMPERIAL PARLIAMENT.

House of Lords.—Monday, February 10.

The Lord Chancellor took his seat on the woolsack at 5 o'clock. * *

BRITISH SUBJECTS IN AMERICA.

The Earl of Carnarvon said he was anxious to ask a question of some importance of the noble earl the secretary for foreign affairs. The house would remember that on Friday last he made some remarks on the case of an Englishman in America who had been taken into custody and sent to prison under the warrant of Mr. Seward. Since Friday he had received further information in reference to similar cases, but they were, if possible, worse than the one he then mentioned. He understood that at this moment there were no less than three British subjects who had been for four or five months confined in Lafayette prison, and they had been detained there without any charge of any sort or kind having been made against them. There had been no inquiry made into their cases. An inquiry had been asked for, but it had been refused, unless they first consented to take the oath of allegiance to the government of the United States. Now, if that were so, it was clear that those persons had been illegally arrested, illegally imprisoned, and illegally detained, and there ought not to be a moment lost before clearly understanding the present position of affairs. (Hear.) In these American prisons there were confined persons of every rank and means, and intelligence, and many who had been brought up in affluence—there were representatives of the liberal professions—of the bar, the press, and the judicature, and many of the best classes of American society. They had been arrested, and dragged from prison to prison, and they had undergone very great hardships. So far as it concerned the American citizens their lordships' house had nothing to do, except in this way, that their position would throw some light upon the manner in which British subjects were treated in prison. The state of this prison was very bad. In it were confined 23 political prisoners, and two-thirds of them were placed in irons. From this prison the light and air were excluded, the ventilation was imperfect, and the atmosphere was oppressive and intolerable. The prisoners were deprived of the decencies of life, and the water supplied to them was foul, and for some purposes it was salt. He had received these facts from an authority which he could not doubt, and he believed in their correctness. The names of the British subjects were Charles Green, formerly a British merchant resident at Savannah. He went from Liverpool, and his connexion with this country had been maintained to the present time, for he had now a son residing at Liverpool. The next person was Andrew Lowe, also a British merchant residing at Savannah, and he had children now at school at Brighton. The other person was an Irish laboring man, who went out to America in October, 1860, in search of a relative resident near Harper's Ferry, and the troops of the federal government having found him there, he was taken into custody, and the oath of allegiance having been tendered to him and refused, he was dragged to to a prison in New York, and had since been confined there. Now, if these persons had broken the laws of the United States, they ought to be brought to trial, and if they were found guilty, then let them be sentenced according as the law directed; but if they had not broken any law, then they ought not to be kept in prison for an indefinite period, and on secret charges. He understood that an inquiry would be directed into the cases of these persons, but Mr. Seward made it a preliminary condition that they should take the oath of allegiance to the government of the United States. Now, the very fact that these persons would not do that served to show that they were British subjects. He wished to know how far the noble earl had been informed of these things, and what steps or measures he had taken to obtain redress.

Earl Russell said: I conclude that the noble earl has hardly read the papers which have been laid upon the table of the house by command of her Majesty; for the noble earl would there have found a correspondence between Lord Lyons and Mr. Seward, and also between her Majesty's government and Lord Lyons, on this subject. The noble earl, in his statement, seems hardly to have taken into account the very critical circumstances in which the government of the United States has been placed. In the spring of last year nine of the States in the scheme of confederation declared war against the government of the United States. In such circumstances as these it is usual for all governments to imprison upon suspicion persons who they consider are taking part in the war against them. In a case which happened not many years ago, viz: 1848, when there was a conspiracy for the purpose of overturning the authority of her Majesty, the secretary of state applied to the other house of Parliament for authority to arrest persons on suspicion, viz: for the suspension of the habeas corpus act, and in the papers presented to Parliament at that date there are two cases in which the lord-lieutenant of Ireland had ordered the arrest of two American persons; a complaint was thereupon made by the American government, and my noble friend, (Lord Palmerston,) at that time at the head of the foreign office, replied that with regard to those persons the lord-lieutenant had due information, upon which he relied, that those persons were engaged in practices tending to subvert the authority of the crown, and were aiding practices which were being pursued in that part of the kingdom. Those persons were never brought to trial, but on that authority they were arrested. After this civil war broke out in America, complaints were made by certain British subjects that they had been arrested upon suspicion. I immediately directed Lord Lyons to complain of that act as an act enforced by the sole authority of the President of the United States, and especially in regard to one of those persons there seemed very light grounds for suspicion, and I said he ought not to be detained. I am not here to vindicate the acts of the American government for one or for any of those cases. Whether they had good grounds for suspicion, or whether they had light grounds for suspicion, it is not for me here to say. If I thought there were light grounds for suspicion, it was my business to represent that to the government of the United States, but it is not my business to undertake their defence in this house. The American minister replied that the President had, by the Constitution, the right, in time of war or rebellion, to arrest persons upon suspicion, and to confine them in prison during his will and pleasure. This question has been much debated in America, and judges of high authority have declared that the writ of habeas corpus could not be suspended except by an act of Congress. But certain lawyers have written on both sides of the question; and I have recently received a pamphlet, in which it is laid down that the meaning of the law of the United States is, that the writ of habeas corpus can be suspended on the sole authority of the President of the United States. The question itself was brought before Congress, and a resolution was proposed that there should be no arbitrary arrests except with the sanction of Congress. But it was contended that it was part of the prerogative of the President; and a large majority decided that the question should not be discussed, and thereby left the President to act for himself. So much for the power given by the Constitution of the United States. With regard to the particular acts which the Secretary of State, under the sanction of the President, has authorized as to the arrest of British subjects as well as American subjects, I am not here to defend those arrests, but I certainly do contend that it is an authority which must belong to some person in the government, if they believe that persons are engaged in treasonable conspiracies in the taking part as spies, or in furnishing arms against the government. I believe that in regard to many of the cases of arbitrary authority that power was abused. I believe that, not only with regard to persons arrested, but in the course pursued, there was unnecessary suspicion; but I do not find that in any case there has been any refusal to allow British consuls at places where convenient to hear the cases of those persons, or when a statement was made by the British minister that Lord Lyons was slow in representing the case to Mr. Seward. Lord Lyons represented to me that these cases took up a very great part of his time, and he was anxious to investigate every one of them. Nor can I say that Mr. Seward has refused at any time to listen to those complaints. He has always stated that he had information upon which he could depend that these persons were engaged in treasonable practices against the government of the United States. That being the question, the noble earl states, upon his own authority, that the arrests are illegal, and that the persons are kept in prison illegally. But that is more than I can venture to say. I can hardly venture to say that the President of the United States has not the power—supposing persons are engaged in treasonable conspiracies against the authority of the government—to keep them in prison without bringing them to trial; and it would require a strong denial of the authority of the law officers of the United States before I could presume to say that the President of the United States had not that power. With regard to the particular cases which the noble earl has referred to, I am unable to say whether or not some of those persons may not have been engaged in these conspiracies. We all know that during the time in which the United States have been divided there has been much sympathy shown in this country on one side and on the other—some have shown a strong sympathy for the north, and some for the south. (Hear, hear.) With regard to some of those cases, I have stated I thought the circumstances were such that it was quite evident that they had not been engaged in any conspiracy. There was one gentleman who happened to be a partner in a firm, and the other partners had great connexions with the south. It was true that the firm had strong southern sympathies, but the gentleman himself was a firm supporter of the government of the Union. It was the mere circumstance of letters being sent to his partner which induced his arrest. I thought that a most arbitrary and unjust proceeding. (Hear.) Mr. Seward said he thought the circumstances were enough to induce suspicion, but that as soon as it was ascertained that there was no ground for that suspicion that gentleman was released. An innocent person being arrested and confined for several days in prison was undoubtedly a great grievance, and one for which he was entitled to compensation; but beyond the right to complain, and beyond the constant remonstrances of Lord Lyons, the British minister, in every such case, I do not hold that the circumstances warrant further interference. I believe the gentleman to whom I allude had stated that he expected his own friends would procure his release. The noble lord mentioned three cases. I was not aware of the cases the noble earl would mention. But with regard to Mr. Green, this is the statement he made on the fifth of September: "I desire no action to be taken by my friends in England in consequence of my arrest. Lord Lyons has represented my case, and it will receive investigation in due time. Meanwhile I am in the hands of the officers of this fort." There have been other cases of arrest and imprisonment under circumstances involving considerable hardship. There have been many cases of arbitrary imprisonment without trial; and these cases of arbitrary imprisonment have taken place under a government which is engaged in a civil war, perhaps one of the most serious and formidable in which any country was ever engaged. Right or wrong, it is not for us to decide; but we must admit that all the means that have been used by civilized nations in warfare against each other are open to the Americans in this case. With respect to the particular cases, I believe that to whatever cause it may be owing, whether owing to the novelty of the case in North America, or to the inexperience of persons who are not conversant with the carrying out of affairs, or whether it is this, that arbitrary power can never be safely intrusted to any one without being abused, to whatever cause it is owing, I believe there will ever be many cases of abuse of such power. (Hear, hear.) But in every case where a British subject is arrested, and a reasonable case is made out for him, I shall be ready to instruct Lord Lyons to bring the case under the consideration of the government of the United States. Lord Lyons has never been wanting in his duty. (Hear, hear.) He has, I think, shown himself a vigilant British minister in that respect; and I trust your lordships will not think that these cases have been neglected by the government of this country. (Hear.)

The Earl of Derby. The statement made by my noble friend behind me, and borne out by the noble earl opposite, is one which cannot be listened to without feelings excited in the highest degree in consequence of the treatment to which British subjects have been subjected. I am willing to admit, with the noble earl, that every allowance should be made for the circumstances and the difficulties in which the government of the United States is placed, and the position in which they stand with regard to the civil war in which they are engaged. But I must say that the course they have pursued with respect to British subjects in America, notwithstanding the remonstrances which have been, from time to time, presented to them by Lord Lyons, in the performance of his duty, which he appears to have pursued with great prudence, is most trying to the patience of this nation. I think he was justified in using strong language with regard to the course which has been pursued. That course was anything but in accordance with the "Civis Romanus sum" doctrine of the noble lord at the head of the government. (Laughter.) The noble earl opposite has apparently derived some advantage and instruction from the correspondence in which he was engaged with Mr. Seward, because in an early stage of those proceedings he very properly invoked against those proceedings the protection of the American law. He said that that which the law sanctions with regard to American subjects we could not complain of when applied to British subjects; but the question is this: does the law sanction it? The answer was, that the government did not consider themselves bound to take their view of American law from a British minister. Such was the substance of the courteous reply received by the noble earl. (Hear, hear.) There is one question which I must ask the noble earl to answer. It has already been asked by my noble friend behind me, but very conveniently the noble earl has not thought it necessary to reply to it. He states that the Congress has passed a resolution affirming the power of the President, under the Constitution, to suspend the *habeas corpus*.

Earl Russell was understood to express dissent.

The Earl of Derby. Virtually, at all events, the noble earl so stated, because that is the only position on which he rests. There is no law shown, and the statement of the noble earl is that the possession of that power by the President has been denied by many of the most learned lawyers. The action of the judges being, under the unusual circumstances of the case, under unusual restrictions, (laughter,) there is, therefore, no appeal to the law of the United States; but the noble earl says that virtually the Congress has affirmed the power of the President under the Constitution to suspend the *habeas corpus* whenever he thinks fit, without reference to Congress or any other authority than his own discretion. America certainly possesses a very free government. (A laugh.) Her institutions are democratic, but I would think it a rather unpleasant state of law, or rather absence of law, to live under, and a strong illustration of the happiness which is, at all events, supposed to be enjoyed by those who are governed by limited monarchies. The noble earl has referred to cases where the right to suspend the *habeas corpus* by Parliament has been exercised in this country, and he says it has been exercised with respect to American citizens. But when the right to suspend the *habeas corpus* has been exercised in this country by the authority of the lord-lieutenant, it has been conferred on him by Parliament. I ask the noble earl when, by British precedent or American law, it has been required as a condition of being brought to trial, that the person to be taken before the authorities should forswear his allegiance to his own country. (Hear, hear.) It is not denied by the noble earl that a British subject has been required, as a condition of his being brought to trial, to take the oath of allegiance to the American government, and that when he replied that he was a British subject, that apology was not deemed sufficient; nor has it been denied that he was thereupon remitted to prison. Now, going the full length of saying that we are not to be the judges of American law, if we are still to admit the doctrine that the President may exercise his own power of imprisonment and suspending the *habeas corpus* without the sanction of Congress, I think the noble earl will be at a loss to point out law or precedent for requiring a subject of another country to forswear his allegiance as a condition to his being brought to trial. (Hear.)

Earl Russell. With respect to the first point, what I stated, so far as I recollect, was this: that on a motion to the Congress with regard to the suspension of the *habeas corpus* by the President, the Congress, by passing to the order of the day, or laying the proposition on the table, or whatever their form is, voted by a small majority in favor of the proposition. I do not think we should complain if the President exercises that power, and the Congress does not interfere with it. With regard to the other cases which the noble earl has brought forward, I have no knowledge of them, or I would have taken pains to inquire into each of them. I certainly do not recollect the case of any person being called on to take the oath of allegiance to the United States except one, in which there was some question with Lord Lyons, and that was the case of a gentleman who had given notice of his intention to become a citizen of the United States. Now, a person wishing to become a citizen of the United States gives notice that at a certain time—within three months—he intends to ask leave to become a citizen of the United States. When the time arrives he must not only take an oath of allegiance to the United States, but he must forswear all other allegiance, more especially to her Majesty Queen Victoria. (Laughter.) This gentleman who was arrested made an appeal to the British government, and the answer of Mr. Seward to the remonstrance addressed to him was, "This gentleman has renounced all allegiance, especially to her Majesty Queen Victoria." The matter was further inquired into, and it was found that Mr. Seward was wrong in his fact—(hear, hear)—that this gentleman had given notice that he intended to become a citizen of the United States, and to forswear all allegiance to her Majesty, but he still remained a British subject. He had thus placed himself in a position in which he could not claim the protection of either one government or the other. (Laughter.)

The Earl of Donoughmore, without entering on a discussion of the general subject, desired to have an explicit answer to one question, namely, whether the noble earl at the head of foreign affairs approved of the course which had been adopted of tendering the oath of allegiance to a British subject as a condition to his being brought to trial? He was of opinion that no greater insult could be offered to any man than to be first arrested by a foreign government, and then be required by that government to forswear allegiance to his own and allegiance to theirs before the charge against him could be investigated. He trusted that a distinct answer to that question would be given by the noble earl.

Earl Russell. The answer is, that so far as I know the American government never tendered the oath of allegiance to a British subject knowing him to be a British subject. When informed by Lord Lyons that a person arrested was a British subject, Mr. Seward once or twice replied that he was not aware of the fact, and that he would take care that the oath should not be tendered to a British subject.

The Earl of Derby. Then it just comes to this, that he had no means of escaping from prison except by taking the oath.

THE BLOCKADE OF THE SOUTHERN PORTS.

The Earl of Malmesbury asked the noble earl at the head of foreign affairs whether, amongst the papers he had received from admirals on the American station and consuls in America, he had found any account of the actual condition of the blockade of the Confederate States. He did not ask the question in any spirit of cavilling with the course which the government had pursued, and he was the more anxious not to be misunderstood not only by their lordships but by the public, from the circumstance that in a most strange and unaccountable manner the noble earl near him (the Earl of Derby) had been extremely misunderstood and misrepresented by a morning journal (the *Times*) both to-day and last week. Although the noble earl gave that journal an opportunity of stating what he really said on Thursday relative to the blockade, he observed this morning an article in the same paper warning the public against the advice given by his noble friend on that occasion. Now, the noble earl never used a single argument in favor of breaking the blockade, nor would it be consistent with his (the Earl of Malmesbury's) opinion as to public policy to say one word to induce the government to adopt that course. That must be a question of time. No person on that side of the house wished to press the government to take any course but that which they had adopted. But, although these were his views with respect to the policy hitherto pursued by the government, he wished to know what the real truth and facts of the case were with respect to the blockade, because, perhaps, a great deal of exaggeration had been made use of in describing it. He was told that Mr. Mason, who came over here, as they all knew, to represent the case of the southern States, openly declared that no less than six or seven hundred ships had broken the blockade and passed in and out of the southern ports. It was, therefore, very desirable that the government should be prepared to form some judgment upon the matter. It must be a question on the part of the government as to the time in which they would vindicate international law. Under the particular circumstances of the case it would, he was aware, be very impolitic to take hasty measures with respect to the blockade; but after the opinion which, he believed, had been given by every great power in Europe, that though legal according to international law, it would be impossible after a time, and if the statement of Mr. Mason, to which he referred, proved true, for the whole world to continue to suffer the inconvenience arising from the blockade. (Hear, hear.) Much had been said with respect to the declaration of Paris in 1856. He was sorry that his noble friend (the Earl of Clarendon) was not present, as he did not like to speak on a subject of this nature in the absence of one whom he believed to be the originator of that declaration. At that time he expressed an opinion that should a great war take place the declaration of Paris would cease to be regarded. We could not lay down a strict rule with respect to blockades, nor did he believe we should be able to carry out a declaration prohibiting privateering. If two great nations like England and France were unhappily at war, as they had been so often, would it be believed that a warlike people, brought to bay, a portion of their fleet destroyed, and the remaining portion blockaded, would not have recourse to all means to repel the opposing power? They would do so, of course, and one way of doing so to which they would resort would be to issue letters of marque, authorizing privateers to destroy the commerce of the enemy. He wished further to know whether the noble earl was in a position to give any information respecting the assassination of Dr. McCarthy at Pisa, who was stabbed in his own house by an Italian corsair, and who had escaped in consequence of the gross neglect and indifference of the Italian authorities?

Earl Russell said her Majesty's government felt sensible of the support given by the noble earl opposite (Earl Derby) on the first night of the session to them respecting their conduct with regard to America. It gave great force to the government when they found that all parties agreed in the line of policy they adopted, and the nation derived great confidence from knowing that they were all united on that subject. With regard to the question of the blockade, it was one of very great importance. He could not presume to enter upon the discussion of it at that moment. He had given orders to Admiral Milne at a very early period, and also to the consuls, to afford her Majesty's government every information possible. When the blockade was first mentioned by Mr. Adams, he stated the difficulty which he saw would exist in blockading 3,000 miles of coast. To this Mr. Adams replied that there were only seven ports which it would be necessary to blockade, so that the difficulty was not so great as appeared at first sight. With regard to the allegation that 500 ships had broken the blockade, he had himself made inquiry of Mr Mason. He asked Mr. Mason what was the tonnage of the vessels to which allusion had been made, and to that question Mr. Mason was unable to give him any answer. That was a matter, however, of great importance in the question, because the seven ports were connected with several other smaller ports, and it was possible that vessels carrying small cargoes might run from one to the other; but these could hardly be called vessels running or breaking the blockade. Before the meeting of Parliament the had given instructions to have all the papers on this subject put together. That was being done, and they would be laid shortly before their lordships. He hoped that any judgment upon this question, which was one of very great importance, would be postponed till all the information was before the house. It was an evil on the one hand if the blockade was ineffective, and therefore invalid; and on the other hand, if they were to run the risk of a dispute with the United States without having strong ground for it, it would be a great evil. With regard to the dreadful murder to which the noble earl referred, it was quite true that the British residents in Tuscany made representations as to the inefficiency of the authorities and the means of punishing and detecting crime. That representation was sent to Turin, and a hope expressed that measures would be devised to make the police more effective in that part of the country. With regard to the arrest of the assassin and the bringing him to justice, the report made by the consul was that the proceedings were more than usually speedy. But it appeared that these quarters were inhabited by an undisciplined and savage kind of men, and crimes were frequent amongst them. It appeared that the British residents of Florence complained that there was a want of some regular tariff of charges. He hoped that some rules would be laid down which would prevent the occurrence of such crimes in future.

Earl Granville said he could not allow the remarks of the noble earl opposite (the Earl of Malmesbury) to pass without observation. The noble earl stated his conviction that the force of circumstances would oblige this government, in case of war, to disregard the obligations of the treaty of Paris. This declaration, as it appeared to him, would have so injurious an effect on foreign powers, coming as it did from one who had filled the office of secretary of state for foreign affairs, that he put it to him whether he had not, in the heat of debate, somewhat overstated the matter?

The Earl of Malmesbury said, what he intended to say was this: that supposing a great country like this or France, after a desperate war, driven to the last extremity, and struggling with other powers for its very existence, he did not believe that an impatient military people like the French, or a people having the spirit of the people of this country, would bear to be guided by the paper declaration of 1856, but that the law of self-preservation would overrule all other feelings, and under it that they would take any steps they thought proper to save themselves and the country from the extreme dangers in which they were placed. (Hear, hear.)

Earl Granville said he did not expect that anything of the kind was likely to happen, and he hoped the country would never be brought to such an extremity as to break the treaty obligations into which it had entered to secure some secondary object.

Earl Russell said he certainly had given expression to an opinion that was not in favor of the treaty of Paris in some respects, but said that having been made it must be maintained.

The subject then dropped.

Mr. Seward to Mr. Adams.

No. 182.]

DEPARTMENT OF STATE,
Washington, February 13, 1862.

SIR: Westerly winds have hindered the steamers so that it is only after a period of twenty days that I now receive your despatch of the 24th of January, No. 105.

It affords me pleasure to know that the inhibition against the exportation of saltpetre, which was so unnecessary, has been rescinded.

It has been only European sympathies and European aid that have enabled our disloyal citizens to prolong the civil war. The commercial advantages which Great Britain derives from her present policy are, a trade with the insurgents in articles contraband of war, and in less illegitimate merchandise introduced into the disloyal States in contravention of a vigorous blockade. Besides this commercial advantage, Great Britain gains the security of an acknowledgment of her immunity as a neutral by the pirates who are engaged in destroying our commerce. But the pirates are outlaws, having the control of not one port in our own country. On the other hand, what inconveniences do not result to Great Britain herself from her unnecessary and undeserved concessions to the insurgents? Alarms, apprehensions, and preparations for war with that one of all the nations whose constitution and habits most incline it to peace, and which, if left in the enjoyment of peace, is always at once the most liberal in its supplies of material and provisions to the British manufacturers, and the most liberal consumer of their fabrics.

Has not the policy of Great Britain in regard to our internal troubles been adhered to long enough? This is a question for the British government. If the British government shall still think it necessary to persevere, is it asking too much of them that they shall lend the protection of their courts to the enforcement of the neutrality which the Queen's proclamation commands? Will they stand by and see the Bermuda again fitted out with munitions and arms by British subjects, to be employed by insurgents in their attempts to overthrow the government of the United States?

When Spain refuses shelter to the Sumter, is Great Britain willing that she shall rest from her work of destruction, and repair in the harbor of Gibraltar?

These indulgences extended to pirates, who are destroying our commerce, must, sooner or later, give rise to the questions, What wrong have the United States done or even meditated against Great Britain? What duty of neutrality, or even friendship, which they owed to Great Britain have they failed to perform? What fault have they committed in their national conduct? They, indeed, are involved in a domestic strife, but it is a strife which, while they are fighting for their own existence, is, at the same time, purely a war of self-defence.

In your own way please bring these views to the attention of Earl Russell. Meantime, I shall refer the matter you mention relative to the Bermuda and the Sumter to the Secretary of the Navy. I doubt not that, if we must maintain war in European waters against American pirates, in addition to the naval operations in which we already are engaged nearer home, we shall be able to meet that responsibility with full success.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 184.]

DEPARTMENT OF STATE,
Washington, February 14, 1862.

SIR: I herewith transmit to you the copy of a communication of the 24th ultimo, addressed to this department by the consul general of the United States at Havana. It has reference to the conduct of the master of the English steamer General Miramon, off the port of Mobile, in the month of May last. It will be seen that, in violation of a solemn pledge, the captain of the General Miramon grossly abused a privilege granted to him by Flag Officer McKean from motives of humanity.

You will make the facts known to the British government, and express the expectation of the President that if that government has the necessary power it will cause the captain of the Miramon to be suitably punished for his perfidy.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq.,
&c., &c., &c., London.

Mr. Seward to Mr. Adams.

No. 186.] DEPARTMENT OF STATE,
Washington, February 17, 1862.

SIR: The interval between the reception of your last despatches and the departure of the mail is too short to permit full response to your call for information respecting details which would show the efficiency of the blockade. I send you a copy of a communication which has been received from the consul general at Havana, by which you will learn, first, that in view of the extent of the coast blockaded, and the amount of commerce which existed before the blockade began, the number of vessels which have run the blockade is very small, and the trade effected by them is inconsiderable.

Second. That the success of the blockade has continually increased. It is now as nearly absolutely effective as any blockade ever was.

Third. That far the largest portion of the vessels which have run the blockade are British vessels.

You need not be told how little care the British government has taken to discourage or repress that prohibited trade.

But the true test is not the number of vessels that have entered or left the blockaded ports, but the actual effect of the blockade. I send you two articles on that subject, which you will find conclusive against all allegations that the blockade is inefficiently conducted.

Happily the active campaign of our land and naval forces has begun. The great preparations which have been made so diligently and so carefully in defiance of popular impatience at home and political impatience abroad are now followed by results indicative of a complete and even early decision of the contest in favor of the government.

We entertain too high an opinion of the justice as well as the wisdom of foreign states to apprehend any intervention in the face of these significant triumphs of the arms of the Union. As to details, the public journals which you will receive will be the best despatches possible.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 187.] DEPARTMENT OF STATE,
Washington, February 17, 1862.

SIR: I am not prepared to recognize the right of other nations to object to the measure of placing artificial obstructions in the channels of rivers leading to ports which have been seized by the insurgents in their attempt to overthrow this government. I am, nevertheless, desirous that the exaggerations on that subject which have been indulged abroad may be corrected. I have, therefore, applied to the Navy Department for information, and I have now to inform you that between the channels leading to the harbor of Charleston which have been so obstructed there still remain two other channels, neither of which has been so obstructed, and in which there has been no design to place any artificial obstructions. These are the Swash channel and a part of the so-called Maffit's channel. These two latter channels are guarded, and passage through them prevented only by the blockading naval forces. Evidence of these facts is furnished you in an extract from a report of the flag-officer at Port Royal, hereto appended.

The question which I have thus noticed, happily, is likely soon to drop out of view in the course of stirring events. Within a very short period we expect to be in occupation of all or the chief southern ports, and we are already considering how we can afford desirable facilities to foreign as well as domestic trade.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

[Confidential.]

No. 187 *bis.*]

DEPARTMENT OF STATE,
Washington, February 17, 1862.

SIR: It is represented to us that equally in Great Britain and in France the cause of the Union is prejudiced by the assumption that the government which maintains it is favorable or at least not unfavorable to the perpetuation of slavery. This incident is one of the most curious and instructive ones which has occurred in the course of this controversy.

The administration was elected and came into its trust upon the ground of its declared opposition to the extension of slavery. The party of slavery, for this reason, arrayed itself against, not only the administration, but the Union itself, and inaugurated a civil war for the overthrow of the Union and the establishment of an exclusive slaveholding confederacy.

Without surrendering the political principle, we meet them in the battle-field and in defence of the Union. The contest for life absorbs all the interest that had existed, growing out of the previous conflict of ideas. But what must be the effect? If the confederacy prevails, slavery will have a constitutional, legitimate, and acknowledged state, devoted to itself as the paramount object of the national existence. If the Union prevails, the government will be administered by a majority hostile to the fortification and perpetuation of slavery. Slavery in the slaveholding States will there be left in the care of the people of those States just as it was left at the organization of the government in all of the States except Massachusetts. It might admit of doubt whether it would not have been able to recover its former strength had the slaveholding States acquiesced in the election and avoided civil war. But what ground is there to fear such a renewal of strength after having been defeated in arms against the Union?

What is the operation of the war? We have entered Virginia, and already five thousand slaves, emancipated simply by the appearance of our forces, are upon the hands of the federal government there. We have landed on the coast of South Carolina, and already nine thousand similarly emancipated slaves hang upon our camps.

Although the war has not been waged against slavery, yet the army acts immediately as an emancipating crusade. To proclaim the crusade is unnecessary, and it would even be inexpedient, because it would deprive us of the needful and legitimate support of the friends of the Union who are not opposed to slavery, but who prefer Union without slavery to disunion with slavery.

Does France or does Great Britain want to see a social revolution here, with all its horrors, like the slave revolution in San Domingo? Are these powers sure that the country or the world is ripe for such a revolution, so that it must certainly be successful? What, if inaugurating such a revolution, slavery, protesting against its ferocity and inhumanity, should prove the victor?

Who says this administration is false to human freedom? Does it not acknowledge the citizenship as well as the manhood of men without respect to color?

Has it not made effective arrangements with Great Britain to suppress the slave trade on the coast of Africa? Has it not brought into life the federal laws against the African slave trade, and is it not executing their severest penalties? Besides, is it not an object worthy of practical men to confine slavery within existing bounds, instead of suffering it to be spread over the whole unoccupied portion of this vast continent?

Is it not favoring emancipation in the federal District, to be accomplished at the government cost, and without individual injustice or oppression?

Does it not receive all who come into the federal camps to offer their services to the Union, and hold and protect them against disloyal claimants? Does it not favor the recognition of Hayti and Liberia?

The tale that Mr. Cameron was required to give up his place because of his decided opposition to slavery is without foundation; that distinguished gentleman resigned his place only because he could be useful in a diplomatic situation, while the gentleman appointed his successor, it was expected, would be more efficient in administration. His successor has no more sympathy with slavery than Mr. Cameron. These facts and thoughts are communicated to you confidentially for such use in detail as may be practicable, but not to be formally presented in the usual way to the government to which you are accredited.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c*, *&c*., *&c*.

Mr. Seward to Mr. Adams.

No. 190.]

DEPARTMENT OF STATE,
Washington, February 19, 1862.

SIR: Your despatch of January 31, (No. 109,) has been received. I was just about instructing you how to answer the querulous complaints in Parliament which you have anticipated, the chief of which is the assumed incompetency of this government to suppress the insurrection. But a very shrewd observer, a loyal, and, at present, exiled Virginian, fell in at the moment, and expressed to me the opinion that the end of the war is in sight; that there will be a short and rapid series of successes over a disheartened conspiracy, and then all will be over. I give you these opinions as entitling us to what is sometimes granted by candid tribunals, namely, a suspension of judgment.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c*., *&c*., *&c*.

Mr. Adams to Mr. Seward.

No. 123.] LEGATION OF THE UNITED STATES,
London, February 27, 1862.

SIR: In consequence of information furnished to me by the consul of the United States at Liverpool of certain suspicious movements at that port, I have felt it my duty to make a representation to Lord Russell of the facts attending the outfit of the steam gunboat Oreto, and to ask an investigation. Copies of the notes that have passed on this subject are herewith transmitted.

Presuming that you are in constant receipt of intelligence from the consuls in the various ports of the preparation of vessels with supplies of all sorts intended to run the blockade of the southern ports, I do not attempt to furnish the information which I obtain. The temptation of rising prices will, of course, stimulate these ventures just so long as there shall be any reasonable chance of escaping the vigilance of our cruisers.

There seems to be less and less disposition to press complaints about the blockade. The remarks attributed to M. Billault, in the senate of France, leave little further hope of co-operation against it from that quarter.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, February 18, 1862.

MY LORD: I have the honor to submit to your consideration the copy of an extract of a letter addressed to me by the consul of the United States at Liverpool, going to show the preparation at that port of an armed steamer evidently intended for hostile operations on the ocean. From the evidence furnished in the names of the persons stated to be concerned in her construction and outfit, I entertain little doubt that the intention is precisely that indicated in the letter of the consul, the carrying on war against the United States. The parties are the same which despatched the Bermuda laden with contraband of war at the time, in August last, when I had the honor of calling your lordship's attention to her position, which vessel then succeeded in running the blockade, and which now appears to be about again to depart on a like errand.

Should further evidence to sustain the allegations respecting the Oreto be held necessary to effect the object of securing the interposition of her Majesty's government, I will make an effort to procure it in a more formal manner.

I pray your lordship to accept the assurance of the highest consideration with which I have the honor to be your most obedient servant,

CHARLES FRANCIS ADAMS.

The Right Hon. EARL RUSSELL, *&c., &c., &c.*

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *February* 26, 1862.

SIR: With reference to my letter of the 19th instant, on the subject of the steamer Oreto, which was believed from reports you had received to be fitting out at Liverpool with a view to acting hostilely against the people of the United States, I have the honor to transmit to you herewith a copy of a letter from the commissioners of customs to the lords commissioners of her Majesty's treasury, reporting the result of the investigations which they have caused to be instituted with regard to the vessel in question.

I have the honor to be, with the highest consideration, sir, your most obedient servant,

RUSSELL.

CHARLES FRANCIS ADAMS, *&c.*, *&c.*, *&c.*

Report of British Commissioners of Customs.

CUSTOM-HOUSE, *February* 22, 1862.

Your lordships having referred to us the annexed letter from Mr. Hammond, transmitting, by desire of Earl Russell, copy of a letter from Mr. Adams, enclosing an extract of a communication from the United States consul at Liverpool, in which he calls attention to a steam vessel called the Oreto, reported to be fitting out at Liverpool as a southern privateer, and requesting that immediate inquiries may be made respecting this vessel, we report:

That on the receipt of your lordship's reference we forthwith instructed our collector at Liverpool to make inquiries in regard to the vessel Oreto, and it appears from his report that she has been built by Messrs. Miller & Sons for Messrs. Fawcett, Preston & Co., engineers, of Liverpool, and is intended for the use of Messrs. Thomas Brothers, of Palermo, one of that firm having frequently visited the vessel during the process of building.

The Oreto is pierced for four guns, [6 ?] but she has yet taken nothing on board but coals and ballast. She is not at present fitted for the reception of guns, nor are the builders aware that she is to be supplied with guns whilst she remains in this country. The expense of her construction has been paid, and she has been handed over to Messrs. Fawcett & Preston. Messrs. Miller & Sons state their belief that her destination is Palermo, as they have been requested to recommend a master to take her to that port, and our collector at Liverpool states that he has every reason to believe that the vessel is for the Italian government.

We beg further to add that special directions have been given to the officers at Liverpool to watch the movements of the vessel, and that we will not fail to report forthwith any circumstances which may occur worthy of your lordship's cognizance.

THOS. F. FREEMANTLE.
GRENVILLE C. L. BERKELEY.

The LORDS COMMISSIONERS OF HER MAJESTY'S TREASURY.

Mr. Seward to Mr. Adams.

[Confidential.]

No. 197.] Department of State,
Washington, February 28, 1862.

Sir: The successes of the Union army in the west having brought the whole of Missouri and a large portion of Tennessee under the authority of the United States, and having already opened a passage for us into Alabama, Mississippi, and Arkansas, it has been determined to-day to permit the restoration of trade upon our inland ways and waters under certain limitations and restrictions, which may continue until the pacification of the country shall take place.

We are maturing the details of this system of inland trade carefully, and shall try its operation with a view to the adoption of measures of a similar nature, applicable to the country on the sea-coast, which would be some alleviation of the rigor of the blockade.

You may confidentially bring these facts to the notice of the British government. We could doubtless go much further and faster in the direction last indicated if we could have any reason to expect that concessions on our part would be met by a withdrawal, on the part of maritime nations, of the belligerent privileges heretofore so unnecessarily conceded, as we conceive, to the insurgents.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

[Extracts.]

No. 125.] Legation of the United States,
London, March 6, 1862.

Sir: Only this morning have I received the despatches by the steamer America, numbered from 182 to 188, both inclusive; and a *confidential* despatch, marked as 187, in addition to the regular one bearing the same number.

* * * * * * * * *

I transmit herewith the copy of a note addressed by me to Lord Russell, in conformity with the directions contained in your despatch No. 172, of the 31st of January, touching the action of the authorities of Nassau. As yet I have received only the customary formal answer from his lordship announcing a reference for information.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, February 24, 1862.

MY LORD: It is with much regret that I find myself under the necessity of troubling your lordship with another application for information respecting certain alleged acts of the colonial authorities of Nassau unfriendly to the United States.

It has been reported to the Navy Department, from the commander of the United States steamer Flambeau, that, although a deposit of coal belonging to that government exists at the place named, its steamers have been interdicted the use of it.

Liberal as is the disposition of the government of the United States in its intercourse with all foreign nations in American waters, the President declines to believe that her Majesty's government have sanctioned or will sanction these proceedings on the part of the authorities of Nassau. Should he prove to have been correct in this opinion, I am directed to solicit of your lordship such action in the proper quarter as may lead to the rectification of the error.

I pray your lordship to accept the assurances of the highest consideration with which I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

The Right Hon. EARL RUSSELL, *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 199.]

DEPARTMENT OF STATE,
Washington, March 6, 1862.

SIR: Your despatch of February 13, No. 114, has been received.

I regret that it has been impossible to supply you with statistics, which our uncharitable friends in England so strenuously insist upon, to show how effective or how inefficient the blockade is. We, of course, have no record of the cases in which the blockade has been run. Such information must be in possession of those who performed the achievement, while we were ignorant of the transactions in which they were engaged. I have, however, sent you such a list as could be procured at Havana. It shows that generally the vessels which have violated the blockade were British. The British revenue officers, therefore, can furnish the information wanted by members of the British Parliament, or at least much of it. It would prove nothing to show how many vessels we have captured in the attempt, or the value of such vessels and their cargoes, for it is the failure to seize vessels, not success in seizing them, that constitutes the gist of the issue.

I cannot but think that the true test of the commercial blockade lies in the results. The price of cotton in New York is four times greater than in New Orleans. That fact is certainly demonstrative. So is the fact that salt is ten times higher in New Orleans than in New York. So is the fact that gold is even more scarce in Charleston than cotton is in Liverpool. Moreover, the pleaders for our destruction in Parliament ought to be held to choose between contradictory pleas, and cease to complain of the ruin brought into England by the failure of supplies from the blockaded districts, or else they ought to admit the efficiency of the blockade.

I trust, however, that these contradictory complaints about the blockade will have passed away before this despatch shall reach its destination.

Affairs have just fallen into a new condition, suggestive of very different questions from those which were troubling you when the paper which I am answering was written. It can now be seen, by those who will consent to see it, that disunion originated in a local popular excitement or passion, and not in any radical and enduring interest adequate to sustain a revolution. It is now apparent that we are at the beginning of the end of the attempted revolution. That end may be indeed delayed by accidents or errors at home, as it may be by aid or sympathy on the part of foreign nations. But it can hardly be deemed uncertain. The strength of the Union is seen in a vast army in excellent condition, and a vigorous and well-appointed navy, while the national finances are perfectly sound and reliable. On the other side are seen a demoralized and decaying navy consisting of two worthless pirate steamers, in all carrying half a dozen guns. The credit of the insurgents is depreciated sixty per cent. below par, and daily sinking lower. Cities, districts, and States are coming back under the federal authority, while it has not really lost a square mile of territory which it held when the conflict began. The permanent interests and political sentiments of Union are lasting and reliable elements of strength in the federal cause. The fires of faction, which gave to disunion all its force, are already burning out. Of all foreign nations Great Britain has the deepest interest in a speedy termination of the conflict and in a complete restoration of our national commerce, as no other nation has so great an interest in the relations of permanent friendship with the United States. If Great Britain should revoke her decree conceding belligerent rights to the insurgents to-day, this civil strife, which is the cause of all the derangement of those relations, and the only cause of all apprehended dangers of that kind, would end to-morrow. The United States have continually insisted that the disturbers of their peace are mere insurgents, not lawful belligerents. This government neither can nor is it likely to have occasion to change this position, but her Majesty can, and it would seem that she must, sooner or later, desire to relinquish her position. It was a position taken in haste, and in anticipation of the probable success of the revolution. The failure of that revolution is sufficiently apparent. Why should not the position be relinquished, and the peace of our country thus be allowed to be restored?

Do you think Earl Russell, astute and well-informed as he is, could name one single benefit that Great Britain derives from maintaining a position which, although unintentionally, is so unfriendly and so injurious to us, or that he could designate one evil that would probably result to the country of whose foreign interests he is the guardian from the resumption of her long-established relations towards the United States? Is it not worth your pains to suggest to him the inquiry whether it would not be wiser and better to remove the necessity for our blockade than to keep the two nations, and even the whole world, in debate about the rightfulness or the expediency of attempting to break it, with all the consequences of so hostile a measure?

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

[Extract]

No. 201.] DEPARTMENT OF STATE,
Washington, March 7, 1862.

SIR:

* * * *

When, in November, we thought we had reason to apprehend new and very serious dangers in Europe, the subject was taken into consideration by the President at a full meeting of the cabinet. It was understood that the insurgents were represented abroad by a number of active, unscrupulous, and plausible men, who manifestly were acquiring influence in society, and in the press, and employing it with dangerous effect, and it was thought that such efforts could be profitably counteracted by the presence in London and Paris of some loyal, high-spirited, and intellectual men of social position and character. We considered that the presence of such persons there, unless they should act with more discretion than we could confidently expect, would annoy and possibly embarrass our ministers abroad. It was decided that hazard must be incurred in view of dangers which seemed so imminent. All our individual sensibilities must give way in time of public peril. The persons selected were thought to be among the most prudent and considerate in the country. When all our agents and friends abroad, consular as well as diplomatic, official and unofficial persons, united in warning us of a serious danger which they thought was to happen on the meeting of the French and British legislatures, respectively, I thought it might be well for Mr. Motley to be at London to confer and co-operate with you. I wrote to him that if he could it was desirable he should go there, but in everything to consult with you and take directions from yourself. I desire you to understand that these proceedings in no respect imply any want of satisfaction with your conduct in your most important mission. The President and the cabinet are perfectly unanimous in approving of all your proceedings as the very best in every case that could be adopted. I may add that the public approbation is equally distinct and earnest. I speak very frankly when I say that I do not recollect the case of any representative of this country abroad who has won more universal approbation than you have. I have purposely made this an official paper, because we desire that the facts may stand, with the President's conclusions, upon the record.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 128.] LEGATION OF THE UNITED STATES,
London, March 7, 1862.

SIR: The despatch No. 186, of the 17th of February, transmitting a list of vessels that have been engaged in efforts to run the blockade, has come just in time to add to the materials collected from other sources in advance of the discussion which Mr. Gregory, the member for Galway, proposes to commence in the House of Commons to-night. I much regret there is no full official list from the Navy Department of all vessels turned off or captured. In view of the late course of events, the temper of the people, as well as of the higher classes, grows less and less disposed to interference, so that I regard the sentiments expressed in Parliament, whatever they may be, with very little apprehension. It may be depended upon that, without the occurrence of some very extraordinary event, the government of the United States will not be further molested in its efforts to conduct its experiment of reducing the rebellion, according to its own plan, to some definite result. I think I can say this with more confidence now than at any previous period of my residence here.

But if this be the favorable view of our position in England, it is to be kept in mind, on the other hand, that nearly all of the aid which the rebels obtain to protract the war comes, either directly or indirectly, from people in Great Britain. The newspapers no longer pretend to conceal the fact of outfits constantly making of steamers from the port of Liverpool with the intention to break the blockade. A large proportion of the vessels in the list from the department, already alluded to, appear to be British. The Bermuda has just gone on her second trip, filled with the heaviest cargo of cannon and military stores yet despatched ; whilst the nominal destination of the Oreto to Sicily is the only advantage which appears to have been derived from my attempt to procure the interference of the government to stop her departure. How long this business will be continued, in the face of such discouraging news as has been lately coming over the Atlantic, it is difficult to say. The plain fact in any event remains, that the only preventive policy against what is still doing must be found in the vigilance of our naval cruisers. It might be of use if official intelligence of the captures made by them could be promptly forwarded to this legation, for it is not safe to put confidence in mere newspaper statements. It is the popular idea that the blockade is not effective which stimulates many of the ventures.

Having received notice of the departure of the Oreto for Palermo, I immediately wrote to Mr. Marsh, at Turin, to apprise him of her destination, and likewise to Mr. Sprague, the active consul at Gibraltar, in order that he might establish his communications with the various officers in the Mediterranean as to her ulterior movements. I am glad to hear to-day from him of the arrival at Cadiz of the Kearsarge.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 203.]

Department of State,
Washington, March 10, 1862.

Sir: I have your despatch of February 21, No. 19, which informs me, first, of the progress of the debate in Parliament concerning the alleged inefficiency of our blockade. I have already treated, sufficiently, I think, upon that subject. I will add, however, first, that I am credibly informed that the commander of the French fleet in our waters inspected the blockade, and thereupon stated to Mr. Mercier that it is as effective as it could be made by any navy in the world. Second, Memphis newspapers publish telegrams from New Orleans which state that gold is at a premium there of 60 to 65 per cent.

The other topic presented in your despatch is an assumption in England that the government of the United States favors the continuance of slavery, while the insurgents are seeking to win foreign support by taking measures for its melioration and ultimate removal. I have hitherto insisted, and I shall persevere in insisting, that slavery here, although admitted to be a world-wide interest, is, as between ourselves and the insurgents, a domestic question. For this reason I declined to invoke or excite foreign prejudices against the insurgents on the ground that they were attempting to set up a republic in our midst upon the foundation of perpetual slavery, in opposition to the federal government which rests upon the basis of the political equality of all men. So now, if it were true that the two parties had changed positions, I should still insist that the controversy is one in which no foreign judgment could be invoked, for foreign interference on grounds of sympathy or favor towards domestic parties is subversive everywhere of national sovereignty and independence. Nevertheless, the allegation of such a change is utterly groundless in regard to both parties. If the government of the United States should precipitately decree the immediate abolition of slavery, it would reinvigorate the declining insurrection in every part of the south; and, on the other hand, if the insurgents at home would avow the policy of opposition to slavery which their emissaries abroad are understood to make pretences to, the insurrection would perish for want of its necessary aliment, namely, opposition to abolition.

The President's recent message to Congress will probably produce a sudden change in the tactics of the emissaries, and we may safely wait for them to appear in some new attitude.

I fall back upon the ground assumed in my recent despatches. There is no need for further losses and sufferings in Europe by reason of our domestic troubles, and consequently no need for a continuance of the disturbance of relations between the maritime states of Europe and ourselves. Let the governments of Great Britain and France rescind the decrees which concede belligerent rights to a dwindling faction in this country, and all their troubles will come to a speedy end.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 207.]

DEPARTMENT OF STATE,
Washington, March 11, 1862.

SIR: Information derived from our consul at Liverpool confirms reports which have reached us that insurance companies in England are insuring vessels engaged in running our blockade, and even vessels carrying contraband of war. This is, in effect, a combination of British capitalists, under legal authority, to levy war against the United States. It is entirely inconsistent with the relations of friendship, which we, on our part, maintain towards Great Britain; and we cannot believe that her Britannic Majesty's government will regard it as compatible with the attitude of neutrality proclaimed by that government. Its effect is to prolong this struggle, destroy legitimate commerce of British subjects, and excite in this country feelings of deep alienation.

Pray bring this subject to the notice of Earl Russell, and ask for intervention in some form which will be efficient.

Our consuls in London and Liverpool can furnish you with all the information you will require.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

[Extracts.]

No. 131.]

LEGATION OF THE UNITED STATES,
London, March 13, 1862.

SIR: In obedience to the instructions contained in your despatch No. 184, of the 14th of February, I have addressed a note to Lord Russell in regard to the conduct of the master of the British steamer General Miramon, a copy of which is herewith transmitted.

It will be perceived that I have ventured to introduce another and a different cause of complaint, which suggested itself to me in the perusal of the report of the discussion in both houses of Parliament on the blockade. I have done so, not in the expectation of effecting any purpose of checking the notorious tendency of the commercial classes, but rather to put on record on the part of the government of the United States the consciousness of its existence; for the time may come when there will be attempts to deny it. There are people in England who still pretend that the complaints which brought on the war of 1812 were ill founded. But for the evidence perpetuated by the official records of the government of the United States this story might become the established faith of the nation. And so it may be in the event of a restoration of our affairs. It will probably be affirmed here that there was a rigid abstinence throughout our time of trial from all attempts to do us injury. In opposition to this, it may be as well to have it in our power to show that, outside of the lines of the rebel States, nearly all the active sympathy and positive assistance has come from the subjects of Great Britain. At this very moment the means which the insurgents have to carry on the war are derived from them, and vessels are fitting out or actually on the way to supply them continually with more.

I transmit a copy of a note just received from Lord Russell, in acknowledgment of mine. It will probably be followed by explanations.

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You will scarcely have failed to observe in the course of the late discussion in both houses of Parliament the nature of the *animus* that pervades the greater number of members towards the United States. It consists not so much of partiality for one side over the other as of disinclination to both and desire that their political power should be diminished by a permanent separation. Even Lord Russell himself, though perhaps not conscious of the influence that prompts it, distinctly betrays the tendency in his remarks on the blockade. I am told by one of the members that the feelings of the House of Commons were perceptibly with Mr. Gregory in his speech, at the same time that they would not dispute the soundness of the policy of the ministry. It is advisable that the government of the United States should clearly understand this distinction, for upon its adaptation of a system to the emergency will greatly depend the chance of preserving the present position of the two countries towards each other. The successes of the campaign have done much for us. I trust they may continue. But they must not be made to depend merely upon good fortune. The stake is too great here to be risked on the passions of ignorant or inexperienced men at home. If we do not mean to give to the evil-inclined of this hemisphere the opportunity to turn the scale in favor of our enemies in the other, we must take care to adhere to a policy which will, by its ultimate success, prove at once our own capacity to guide the country through its perils and the fallacy of the predictions of failure so confidently paraded by those whose wish is father to the thought.

We now anxiously await the news by every steamer, but not for the same reasons as before. The pressure for interference here has disappeared. It will arise again only in the event of some very decided reverse. Hence we look more for the evidence of sensible and gradual progress than for an immediate triumph. On many accounts this last result would scarcely seem to be desirable, and especially if the attempt to attain it might lead to the possibility of a corresponding reverse.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Earl Russell.

Legation of the United States,
London, March 10, 1862.

My Lord: It is with much regret that I am constrained to lay before you the copy of a letter addressed to the Department of State by the consul general of the United States at Havana, containing a serious complaint against the conduct of the master of the British steamer General Miramon, off the port of Mobile, in the month of May last.

It would appear from the statements therein made, if in accordance with the facts, that Captain Golding took advantage of a privilege granted to him to enter the port of Mobile, upon his profession of a desire to perform an act of humanity, to abuse the confidence thus placed in him, by discharging one cargo of merchandise, and taking off another, in violation of the blockade known to be established at that place.

It is almost needless to remind your lordship how much the disposition to relieve to neutral nations the inconveniences inevitably attending a blockade must be affected by the misconduct of such of their citizens as prove to have no respect for moral obligations. It is not without regret that I am compelled to add that this is by no means the only instance which has come within my observation of a desire of British citizens to interfere with the blockade in every manner possible. Not only have the newspapers in Great Britain contained advertisements of vessels about to depart with the declared intention of violating it, but I have reason to believe that respectable assurance companies in London have gone so far as to establish a specific rate of premium at which they are prepared to guarantee the property engaged in such unlawful ventures. The effect of such conduct, in weakening the confidence which my countrymen desire to feel in the friendly disposition of the people of Great Britain, is easily to be conceived. It is no part of my intention in making this representation to imply the existence of any desire on the part of her Majesty's ministers or of the British nation at large to give the smallest countenance to such hostile demonstrations.

My purpose is rather to solicit such action, if it be within the power of the government as may, by putting the seal of public reprobation upon a single well-authenticated act of dishonesty, serve to deter other evil-minded persons from pursuing the same path in future.

Praying your lordship to accept the assurances of my highest consideration, I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. EARL RUSSELL, *&c.*, *&c.*, *&c.*

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *March* 13, 1862.

SIR: I have the honor to acknowledge the receipt of your letter of the 10th instant, calling attention to the conduct of the captain of the British steamer General Miramon, as reported to your government by the United States consul at the Havana, in discharging a cargo of merchandise and taking off another at Mobile; the captain of the General Miramon having been allowed to enter that port while under blockade, in consequence of his having stated to the commander of the blockading squadron that his object in going to Mobile was to perform an act of humanity. You also call my attention to the number of vessels lading cargoes in this country with the evident intention of running the blockade, and you request that her Majesty's government will take such action in the matter as may be within their power.

I have the honor, in reply, to state that, if the facts as alleged against the captain of the General Miramon are not susceptible of a satisfactory explanation, her Majesty's government would much regret that a British shipmaster should have abused the confidence of the commander of the United States blockading squadron; and, as regards the second point to which you call my attention, I have to assure you that the matter shall have the due consideration of her Majesty's government.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 209.]

DEPARTMENT OF STATE,
Washington, March 15, 1862.

SIR: Your despatch of February 28, No. 124, has been received. The information which it brings of the improved condition of public opinion in Great Britain in regard to our domestic affairs is highly gratifying.

Since the date of my last despatch the Union forces have gained decided advantages. The financial and moral, as well as the physical elements of the insurrection seem to be rapidly approaching exhaustion. Now, when we so clearly see how much of its strength was derived from the hope of foreign aid, we are brought to lament anew the precipitancy with which foreign powers so unnecessarily conceded to it belligerent rights. The President trusts that you are sparing no efforts to convince Earl Russell that the time has come when that concession can be revoked with safety to Great Britain and advantage to the great material interests of that country.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 210.]

Department of State,
Washington, March 17, 1862.

Sir: Your despatch of February 27, No. 123, has been received. I have communicated to the navy the information it gives concerning the Oreto.

The occupation of so many of the southern ports having been effected by our forces, and all of the others being now effectually invested, I apprehend that the illicit traffic which has been so flagrantly carried on from British ports will come to an end.

It is difficult for us to understand here why the maritime powers in Europe do not at once rescind their decisions concerning belligerent rights to insurgents who cannot send forth or receive one single vessel either for purposes of war or of commerce.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

[Circular.—No. 9.]

Department of State,
Washington, March 17, 1862.

Sir: I am directed to inform you that the regulation of the department of the 19th of August, 1861, by which "no person was allowed to go abroad from a port of the United States without a passport either from this department or countersigned by the Secretary of State, nor any person allowed to land in the United States without a passport from a minister or consul of the United States, or, if a foreigner, from his own government, countersigned by such minister or consul;" also, the regulation requiring the "loyalty of all Americans applying for passports or visas to be tested under oath," are hereby rescinded; the causes which required the issue of the above regulations having, it is to be hoped, ceased to exist.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq.

(Same to all of the diplomatic and consular agents of the United States.)

Mr. Adams to Mr. Seward.

No. 132.]

Legation of the United States,
London, March 20, 1862.

Sir: Late last evening I received despatches from the department numbered from 194 to 198, both inclusive. Several of them are highly important, and I shall seize the earliest opportunity to act upon the suggestions they contain in my communications with her Majesty's government. Indeed, you will before this have received my despatch, No. 131, of the 13th instant, which covered a copy of a note of mine to Lord Russell on the case of the General Miramon, drawn up in the sense conveyed in your No. 184, of the 14th of February. As the efforts of disaffected parties here grow more and more desperate in proportion to the increase of the necessities on the other side of the water, I shall find occasion to renew the subject with additional means of illustration.

I take it for granted that even in the midst of your engrossing occupations you find sufficient time to glance at the report of the debates in Parliament on subjects of interest to the United States, and more especially on international questions of rights on the ocean and of blockade in time of war. The most marked indication to be observed is the general sense of uneasiness at the change operated in the position of Great Britain as a maritime power by the enlargement gradually making of the privileges of neutral nations. Whilst on the opposition side you perceive a distinct disapproval of the agreement made in 1856 at Paris, there is equally perceptible among the ministers a disposition to seize the first opportunity to annul the obligations which it has been thought to impose. The remarks of Sir George Cornwall Lewis upon the effect of war upon the measure, regarded merely as a treaty and not as new rules incorporated into the international law, are full of significance. Lord Palmerston has been not inappropriately reminded of the difference between the tone of his speech at Liverpool in 1856 and that in the late debate, whilst even Lord Russell is quoted as having expressed the opinion that some modification of the declaration of Paris would seem to be almost indispensable.

Such are the immediate effects of that which, at first blush, appeared to these enlightened gentlemen a great triumph in the case of the Trent. Such are the consequences of refusing to accept the adhesion of the United States to the declaration of Paris from an over-zealous desire to escape the effect of a precipitate admission of belligerent rights. Both these events have brought vividly to their observation the consideration of the position of Great Britain in the contingency of a war on the ocean. Like the dog in the fable, in snatching at the shadow, they find they have lost the solid meat. A conflict with the United States would, as things are now, at once transfer the whole carrying trade of Great Britain into the hands of the neutral nations of the continent of Europe. It is now becoming plain that, without the additional provision first suggested by Mr. Maury, English interests on the sea are in great jeopardy in time of war, and yet that, with the admission of it, the control of the ocean is forever lost. Whichever way they look there is difficulty. Self-interest being the cardinal point of the policy they seek to pursue, it is plain that the adoption of the declaration of Paris is a sacrifice of which they are beginning to repent. Not the least remarkable among the admissions made in this debate is that which specifies the danger of a war with the United States in the event of a persistence in their former doctrine respecting the cargoes of neutral ships, at the time of the contest with Russia, as having been the main cause that prompted the concessions in that declaration. Thus it would seem that the idea of the growing power of the United States as one nation is everywhere present to their imaginations as the great obstacle in the way of their continued domination of the sea. Can it be wondered at if, under these circumstances, the notion of a permanent separation of this power into two parts, one of which can be played off against the other, were not altogether unwelcome to their hearts?

To considerations of a similar kind are we indebted for the security that has been afforded to us in our present contest against interference with the blockade. That there has been and still is a very strong inclination in the country to get rid of it is unquestionable. That but for its unavoidable connexion with possibilities of consequences in other and not very remote complications, an attempt of the kind would have been made, I am strongly inclined to believe. The argument that has overborne all these tendencies is drawn from the fear that such a step would only lead in the same direction with the preceding ones taken at Paris. It would ultimately deprive Britannia of her power longer to rule the waves. The "*entente cordiale*" with France is not yet hearty enough to make such a result altogether acceptable even to the fancy. Neither are the relations with Russia so friendly as to render a voluntary release of the main instrument to keep her in check, a proposition to be entertained with favor. For these reasons no countenance will be given to any remonstrance against our blockade; neither will the general reasoning of Mr Cobden, in favor of limiting the right of blockade, find much response among people in authority. Even the admissions rendered necessary to establish a position in reclaiming the rebel emissaries on board the Trent will be limited, as far as may be, to shut the door against further concessions.

It will then continue to depend upon the degree of concert established among those nations of the world which have ever upheld neutral rights, whether any real advance be made in the recognized doctrines of international law or not, just as it has done in preceding times. Great Britain will concede only from a conviction that such a course is the safest for herself. The remedy for other countries is obvious. It is to unite in the labor of raising the obligations of specific contracts to the level of permanent international law, and to enforce the observation of a consistent system of policy upon any single power whenever it may venture to set up the promptings of its immediate interest as the only rule of action it thinks proper to abide by.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 213.]

Department of State,
Washington, March 25, 1862.

Sir: I have no despatches from you since the date of my last acknowledgments. The events of the week have been striking and significant:—The capture of Newbern by Burnside, with the consequent evacuation of Beaufort and Fort Macon by the insurgents, and the destruction by themselves of their own piratical steamer Nashville; the rout of the insurgents, on their retreat from Winchester to Strasburg, by Shields; the victory of General Pope at New Madrid, and the bombardment of Island No. 10, in the Mississippi, by Commodore Foote.

A movement of the main army of the Potomac down the river to Fortress Monroe is quietly going on, and demonstrations will soon be made against Norfolk and Richmond.

We suppose our ocean expedition against New Orleans must, at this time, have reached the mouth of the Mississippi.

There are some indications of reviving loyalty in Virginia and Tennessee.

The bonds of the insurgents are now understood to be everywhere at a discount of seventy-five per cent. While it seems impossible that their organization can be longer maintained, there are abundant indications that they will find guerilla warfare even more hopeless than privateering has proved to be. How much longer can the European states resist the ideas concerning this war which we submitted to them a year ago, and which they then so inconsiderately rejected?

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 135.]

Legation of the United States,
London, March 27, 1862.

Sir: I have the honor to acknowledge the reception from the department of despatches numbered from 199 to 208, inclusive.

It will have come to your knowledge, by the reception of my despatch No. 131, of the 13th of March, that I had already acted in conformity with the suggestions contained in your No. 207, dated on the 11th, by addressing a note to Earl Russell in remonstrance against the notorious activity of the subjects of Great Britain in efforts to set at nought the blockade. To that communication I have not yet received a reply. The reception of a letter from Mr. Dudley, the consul at Liverpool, containing additional information to the same effect, supplied me with a new occasion to write to his lordship in the spirit of your despatch No. 196, of the 27th of February. A copy of this latest note, dated the 26th instant, is herewith transmitted. After a full conversation with Mr. Morse, we both arrived at the conclusion that the evidence in our possession would not sustain so broad a position as that contemplated in your letter; for, whatever may have been the purposes of the confederate emissaries and their friends pending the difficulties connected with the Trent case—and I am inclined to believe they went to the full extent indicated—I fancy they have shrunk within much smaller compass since that speck of war has disappeared. The activity is now mainly directed to the expediting of every species of supply through the means of steam vessels, which may themselves be turned to some account in the way of illicit trade or of piratical warfare. Of these last the Oreto seems to be the only one likely to prove formidable. I thought it, therefore, a good opportunity to place upon his lordship the responsibility of the consequences of permitting himself to be deluded by what I cannot help thinking the wilful blindness and credulous partiality of the British authorities at Liverpool. From the experience of the past, I have little or no confidence in the success of any application that may be made of the kind. It is not the less important, for all that, to perpetuate the testimony for future use. That Great Britain did, in the most terrible moment of our domestic trial in struggling with a monstrous social evil she had earnestly professed to abhor, coldly and at once assume our inability to master it, and then become the only foreign nation steadily contributing in every indirect way possible to verify its prejudgment, will probably be the verdict made up against her by posterity on a calm comparison of the evidence. I do not mean to say that such has been the course of the whole people. A considerable portion of them in all classes have been actuated by nobler views. There is, throughout England, a great deal of warm though passive sympathy with America. But there is likewise an extraordinary amount of fear as well as of jealousy. And it is these last passions which have pervaded the mass of the governing classes, until they have inscribed for the whole nation a moral and political record which no subsequent action will ever avail to obliterate.

I am bound to notice, in several of your late despatches, a strong disposition to press upon the British government an argument for a retraction of its original error in granting to the rebels the rights of a belligerent. There may come a moment when such a proceeding might seem to me likely to be of use. But I must frankly confess that I do not see it yet. The very last speech of Lord Russell in the House of Lords is, from beginning to end, inspired by an opposite idea. The final disruption of the United States and the ultimate recognition of the seceding States are as visible in every word of that address as they were in the letter of the same nobleman to Mr. Edwards on the 14th of May last. Lord Palmerston has entertained the same conviction. * * * The foreign policy of the government, upon which its friends almost exclusively depend for what is left it of popularity in the nation, rests upon this basis. * * * For these reasons I respectfully submit to your consideration my doubts about the expediency of moving in this direction now. Indeed, should it so happen that the existing indications of an early termination of the struggle continue to multiply, there will be little occasion for further remonstrance of any kind here; for the disposition to help a party once that it is felt to be certainly sinking is not very common among either political or commercial men; and there are no others in great Britain who would stop to shed a tear over the fallen fortunes of the quasi belligerent of their own creation.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

[Enclosures.]

1. Copy of Mr. Adams's note of March 25, to Earl Russell, on the Oreto, &c.
2. Copy of Mr. Consul Dudley's note to Mr. Adams, of March 22, about the arming of the Oreto.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, March 25, 1862.

MY LORD: I have the honor to submit to your consideration the copy of a letter received from the consul of the United States at Liverpool, touching the case of the steam gunboat Oreto, which I have already made the subject of a communication some time ago. It is with great reluctance that I am driven to the conviction that the representations made to your lordship of the purposes and destination of that vessel were delusive, and that though at first it may have been intended for service in Sicily, yet that such an intention has been long since abandoned in fact, and the pretence has been held up only the better to conceal the true object of the parties engaged. That object is to make war on the United States. All the persons thus far known to be most connected with the undertaking are either directly employed by the insurgents in the United States of America, or residents of Great Britain notoriously in sympathy with and giving aid and comfort to them on this side of the water.

It is with the deepest regret that the President directs me to submit to her Majesty's government a representation of the unfortunate effect produced upon the minds of the people of the United States from the conviction that nearly all of the assistance that is now obtained from abroad by the persons still in arms against their government, and which enables them to continue the struggle, comes from the kingdom of Great Britain and its dependencies. Neither is this impression relieved by the information that the existing municipal laws are found to be insufficient, and do not furnish means of prevention adequate to the emergency. The duty of nations in amity with each other would seem to be plain, not to suffer their good faith to be violated by ill-disposed persons within their borders merely from the inefficacy of their prohibitory policy. Such is the view which my government has been disposed to take of its own obligations in similar cases; and such, it doubts not, is that of all foreign nations with which it is at peace. It is for that reason I deprecate the inference that may be drawn from the issue of the investigation which your lordship caused to be made in the case of the Oreto, should that vessel be ultimately found issuing safely from this kingdom and preying on the commerce of the people of the United States. Not doubting myself the sincerity and earnest desire of your lordship to do all that is within your power to fulfil every requirement of interna tional amity, it is to be feared that all the favorable effect of it may be neutralized by the later evidence of adverse results. It is no part of my intention to imply the want of fidelity or of good-will in any quarter. I desire to confine myself closely within the pale of my duty, a representation of the precise causes of uneasiness between the two countries, and an earnest desire to remove them. Firmly convinced that the actual position of things in connexion with the hostile equipment in British waters by no means does justice to the true disposition of her Majesty's government, I am anxious to place the matter before your lordship in such a light as to obtain the evidence more perfectly to establish the truth.

I am further instructed to say that, well aware of the embarrassment and losses sustained by the nations with which the United States are in amity, through the operation of the restrictive measures to which the government has felt itself obliged to have recourse in its efforts to suppress the insurrection within its borders, it has ever been its desire to hasten the moment when it might be practicable to rescind them, consistently with the attainment of its great object. But to that end much must necessarily depend upon the degree in which co-operation with its policy, or the contrary, may be experienced from without. It is obvious that just in proportion to the success of the efforts made by the ill-intentioned people of foreign countries to violate the blockade must be the endeavors to enforce it with increased stringency. So also in proportion to the success of such persons in supplying, by violation of law, the insurgents with the means of continuing their resistance must be the delay in restoring to all honest people the customary facilities of trade and intercourse to which they are justly entitled. It has not been without great regret that the government has been compelled to observe the extent to which her Majesty's flag has been abused to subserve the purposes of the disaffected, and thus to continue the present depressed condition of legitimate trade. A very great proportion of the vessels which attempted to violate the blockade appear to be fitted out directly from Great Britain or some of her dependencies. The effect of permitting such violations of good faith to go unnoticed by government is not merely to create an unfortunate degree of irritation in America, implicating many far beyond the sphere of the unworthy parties concerned in producing it, but to postpone proportionately the prospect of bringing about a better state of things. It is for this reason, as well as from a desire earnestly felt by the President to maintain unbroken all the customary relations of amity with Great Britain, that I have been directed to make the present representation. Any suggestion of the means best adapted to remedy the evils complained of is deemed a matter exclusively within the competency of those in whom the decision to act is vested. Disclaiming every wish to solicit more than my government would in its turn be prepared under similar circumstances to concede, and entertaining full confidence in the disposition of her Majesty's ministers on their part to act to the utmost of their ability in the same spirit, I pray your lordship to accept the assurances of the highest consideration with which I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. Earl Russell, &c., &c., &c.

Mr. Dudley to Mr. Adams.

United States Consulate,
Liverpool, March 22, 1862.

Sir: The Oreto is still in the river. A flatboat has taken a part of her armament to her. A part of the crew of the steamer Annie Childs, which came to this port loaded with cotton, have just left my office. They tell me that Captain Bulloch is to command the Oreto, and that four other officers for this vessel came over in the Childs with them. The names of three are Young, Law, and Maffet, or Maffit; the fourth was called Eddy. The two first are lieutenants, and the two last named midshipmen. They further state that these officers during the voyage wore naval uniforms; that they came on the Childs at a place called Smithville, some twenty miles down the river from Wilmington; that it was talked about and understood by all on board that their object in coming was to take command of this vessel which was being built in England for the southern confederacy. They further state that it was understood in Wilmington before they left that several war vessels were being built in England for the south. As they were coming up the river in the Childs as they passed the Oreto she dipped her flag to the Childs. I have had this last from several sources, and the additional fact that the same evening after the arrival of this steamer a dinner was given on the Oreto to the officers who came over in the Childs. I understand she will make direct for Madeira and Nassau.

I have the honor to be your obedient servant,

THOMAS H. DUDLEY.

Hon. Charles F. Adams,
United States Minister.

Mr. Adams to Mr. Seward.

[Extract.]

No. 137.]

Legation of the United States,
London, March 27, 1862.

Sir: I have the honor to transmit the copies of three notes received by me from Lord Russell.

One of these is in reply to a letter of mine of the 28th of December, based upon an affidavit of Frederick Williams, sent to me by Mr. Morse. The substance of it had been anticipated by the publication in the parliamentary papers of the account given by the governor of Bermuda to the secretary of state for the colonies of his reception of the Nashville. As it was there affirmed that this steamer had not been supplied from the government stores, I presume that Williams had been mistaken. The second is in answer to my note of the 24th of February, respecting the treatment of the Flambeau at Nassau. The report is quite in keeping with all that we hear is done in that nest of illicit trade with the rebels. I have not deemed it advisable to pursue the subject.

* * * * * * * * *

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

Foreign Office, *March* 24, 1862.

Sir: In my note of the 1st of January, in which I acknowledged the receipt of your note of the 28th of December, enclosing the deposition of Frederick Williams, one of the crew of the Nashville, I had the honor to inform you that I should communicate with the secretary of state for the colonies with the view of obtaining from the governor of Bermuda a correct account of the representations as to the character of that vessel made to him by her commander.

The statement of Frederick Williams, it should be remembered, was, that on the arrival of the Nashville at Bermuda the governor had gone on board, and that Captain Peagram had then informed him that the Nashville was not a navy vessel, but was strictly a merchant vessel. I have now the honor to inform you that the governor of Bermuda has assured her Majesty's government that that statement is in every respect untrue; that he never was on board the Nashville, and that the only persons belonging to that vessel with whom he had any communication were Captain Peagram and Colonel Peyton, who called upon him at the government house; that on the occasion of that interview no other person was present, and that no such remark was made to him by either of those gentlemen, nor indeed by any other person at any other time whatever.

The governor has further stated that, being aware that Captain Hutton, royal navy, the superintendent of the dock yard, had been on board the Nashville, and thinking it possible that Frederick Williams might have mistaken that officer for the governor, and that some conversation which had passed between Captain Hutton and the officers of the Nashville had given rise to the statement Williams had made, the governor had referred to Captain Hutton, and had ascertained from him that he had been on board the Nashville in order to return Captain Peagram's visit, but that Captain Hutton had disclaimed any conversation such as that related by Williams, and had added that he was particularly cautious that nothing but commonplace civilities should pass between himself and the commander of the Nashville.

I have the honor to be, with the highest consideration, sir, your obedient, humble servant,

RUSSELL.

Charles Francis Adams, Esq., *&c., &c., &c.*

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *March* 25, 1862.

SIR: I had the honor, on the 1st instant, to state to you that I had applied to the proper department of her Majesty's government for information as to the circumstances under which the authorities at Nassau had interdicted to the United States steamer Flambeau the use of a deposit of coal, the property of the United States government, existing at that place.

In now communicating to you the result of the inquiries which have been instituted, I assume that the case which you had in view, when you formed your representation, was that of some coal which arrived at Nassau in December last in the United States schooners Caleb Stetson and W. S. Perry.

It might perhaps be questioned whether the coal on board those vessels could in strictness be described as a deposit of coal existing at Nassau, but there seems no reason to doubt that it is to that coal that your letter refers. The facts in relation thereto are as follows:

In the early part of December the Caleb Stetson arrived at Nassau with a cargo of three hundred tons of coal consigned to the United States consul at that port, and by the report and manifest, delivered at the revenue department, and signed officially by the United States consul as consignee, it appeared that such cargo had been shipped at Philadelphia for that port by "order of the United States Navy Department." The receiver general, having doubts as to the propriety of admitting this coal to entry, applied to the governor for instructions, and the governor, acting under legal advice, gave directions that the coal should be admitted to an entry and landing, but that the United States consul should be informed that it could not be permitted to be used in any manner which might involve a breach of the Queen's proclamation of the 13th of May last, and particularly that the coaling at Nassau of vessels of war of either of the belligerent powers could not be allowed without the express sanction of her Majesty's government having been first obtained. A letter to that effect was addressed by the colonial secretary to the United States consul.

While this question was pending, another vessel, the W. S. Perry, laden with coal similarly consigned, had arrived at Nassau, and the United States consul, on receiving the above intimation, declined to have the coal landed, and expressed his determination to keep the same on board of the respective vessels in which it had been imported, until he should receive advices from his government in relation thereto.

On the 11th of December the United States vessel Flambeau arrived at Nassau, and on the following day the United States consul addressed to the governor a letter, in which he stated that the Caleb Stetson was leaking badly, and requested permission to *land* the coal then on board of her, or to discharge a part of it on board of the Flambeau; in answer to which he was informed that, under the decision already arrived at, the coal could not be allowed to be transhipped to the Flambeau, but that there was no objection to its being landed. This privilege, although expressly asked for by the United States consul in his letter, he did not avail himself of.

On the 13th of December the United States consul addressed to the acting colonial secretary a letter complaining of coal having been supplied by a merchant to the secessionist vessel Theodora, and asking whether such an act did not constitute a breach of the neutrality adduced in the case of the Flambeau, which vessel, he adds, "I begged permission to furnish with coal yesterday."

To this letter the governor caused an answer to be sent, in which the distinction between the two cases was pointed out, and the decision not to supply coal to an armed vessel was adhered to. It was observed that the Theodora was a merchant vessel trading to the port of Nassau, and that being propelled by steam it was necessary, to enable her to pursue her occupation as a trader, that she should be supplied with coal. The furnishing this necessary article, therefore, for her use by a merchant in the way of trade was perfectly lawful, and could not be construed into a breach of neutrality.

On the other hand, the Flambeau was avowedly an armed vessel in the service of the federal government. She had entered the port of Nassau and had remained there for some days without any apparent necessity for her doing so, and the authorities had not been informed of the object of her visit. To supply her with coal might, therefore, be to facilitate her belligerent operations, and this would constitute an infraction of the neutrality prescribed by the Queen's proclamation of the 13th of May last.

It was also pointed out that the cases of the James Adger and the Nashville, at Southampton, were not parallel cases. Those vessels were some thousands of miles distant from their respective homes, and to them consequently coal was an article of real necessity; whereas the Flambeau was within a very short distance of the ports of her own nation—Key West, for instance, where her necessities could readily be supplied.

Moreover, it was incorrect to say that the application of the United States consul had been founded on the necessities of the Flambeau; his application was founded on the alleged necessities of the Caleb Stetson.

I trust it will be apparent to you, from the foregoing statement, that the only object which the authorities at Nassau had in view was to preserve a strict neutrality. The obligation to do so was imposed by the Queen's proclamation above referred to, and the contiguity of the port of Nassau to the American coast was an additional reason for adhering strictly to its provisions.

In these circumstances her Majesty's government could not withhold from the governor the approval to which he was entitled for the course which he had pursued. The ultimate decision of her Majesty's government on this question is contained in the rules and regulations laid down in my letter to the lord commissioners of the admiralty of the 21st of January last. I take it for granted that that letter has already been brought to your notice, but you will find it at the end of the printed papers lately laid before Parliament, and in the London Gazette of the 31st of January last.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 218.]

Department of State,
Washington, April 1, 1862.

Sir: Your despatch of March 13, (No. 131,) has been submitted to the President.

I have the pleasure of approving the manner in which you have presented the case of the British steamer Miramon to the notice of her Majesty's government.

I am glad, also, to learn that you anticipated my instructions in asking of Earl Russell explanations of the license allowed to underwriters in Liverpool and London to insure British vessels engaged in violating the blockade. Your remarks in alluding to that subject are sagacious and just. It will, indeed, be well to have, in the end, a record of the unfriendly demonstrations and proceedings of the British government and people towards the United States during their present social disturbance.

I confess, however, that, for my own part, I have not even thought of connecting these unkindnesses into a series for ultimate review. Impertinence, injustice, dictation, and violence abroad are naturally provoked by divisions which produce imbecility at home, and they are a part of the discipline by which generous, but erring nations, are brought back to unity, harmony, independence, and self-respect.

Besides, I have not failed to see that every wrong this country has been called to endure at the hands of any foreign power has been a natural, if not a logical, consequence of the first grave error which that power committed in conceding to an insurrection, which would otherwise have been ephemeral, the rights of a public belligerent. It has seemed, therefore, to be wise, as well as more dignified, to urge the retrogression upon that false step, rather than to elaborate complaints of the injuries which have followed it.

I shall not, in any case, be willing to assume as true the public interpretation of the proceedings of the government which imputes their origin to a sentiment of hostility on the part of the British people. Such a sentiment would be so unworthy of a great nation, and so fatal to all hopes of concert between that nation and our own in advancing the interests of freedom, civilization, and humanity, that I prefer to find the cause of any injustice of which we have to complain in a failure of the British government itself to understand the true character and condition of the unhappy civil strife in which we are engaged.

Earl Russell, in the House of Lords, in the debate to which you have alluded, expressed the belief that this country is large enough for two independent nations, and the hope that this government will assent to a peaceful separation from the insurrectionary States. A very brief sojourn among us, with an observation of our mountains, rivers, and coasts, and some study of our social condition and habits, would be sufficient to satisfy him, on the contrary, that the country is not too large for one such people as this, and that it is and must always be too small for two distinct nations until the people shall have become so demoralized by faction that they are ready to enter the course which leads through continued subdivision to ultimate anarchy. All the British speculations assume that the political elements which have been brought into antagonism here are equal in vigor and endurance. Nothing, however, is more certain than that freedom and slavery are very unequal in these qualities, and that when these diverse elements are eliminated, the former from the cause of sedition, and the latter from the cause of the government, then the government must prevail, sustained as it is by the co-operating sentiments of loyalty, of national pride, interest, ambition, and the permanent love of peace.

These opinions were early communicated to the British government, so far as it was proper to express them in correspondence with a foreign state. That government seems to have acted upon different convictions. The time has probably come for the practical determination of the great issue which has thus been joined. Although the past seventy years of the life of the United States were years of prosperity, yet an unhappy alienation prevailed during all that time between them and Great Britain. I see the United States now resuming their accustomed career by a renewal of the principles on which their existence depends. I doubt not that their future progress will be even more prosperous than the past. Let it be our endeavor to extirpate the seeds of animosity and cultivate relations of friendship with a nation that, however perversely it may seem to act for a time, can really have no interest or ambition permanently conflicting with our own.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 220.]
Department of State,
Washington, April 2, 1862.

Sir: The reports we receive from China show that the insurrection there is becoming very formidable, and they leave it doubtful whether the British and French forces now in China are adequate to secure the inviolability of the persons and property of the subjects and citizens of the western powers dwelling in the commercial cities of that Empire. It is a matter of deep regret to us that our troubles at home render it hazardous to withdraw a part of our great land and naval forces from operating here, and send them to China to co-operate with the forces of the allies there. As you are well aware, the continuance of the insurrection in the United States is due to the attitudes of Great Britain and France towards our country. It would seem to be desirable for those two states to have our co-operation in China in preserving a commerce of vast importance to them as well as to ourselves. That co-operation we could give if we were relieved from the necessity for maintaining a blockade and siege of our southern ports. Moreover, the question may well be asked, Where is this tendency to insurrection, which Great Britain and France seem to us to be practically, although unintentionally, fostering, to end? It breaks out in the Levant; it grows flagrant on the China coasts; it even lifts up its head in France. Is it not the interest of all great maritime states to repress, or at least to discourage it? The President does not expect you to make any special or formal suggestion of these views to the British government, but it seems to him that you may properly use them, incidentally, with advantage in your intercourse with the British government and British society.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 140.]
Legation of the United States,
London, April 3, 1862.

Sir: I have to acknowledge the reception of despatches from the department, numbered 209, 210, and 211. They make particular reference only to one subject, the revocation by Great Britain of her recognition of the insurgents as a belligerent. I have already in my despatch, No. 135, of the 27th of March, submitted my views on the expediency of pressing the subject at this time. After consultation with some of our friends, I still adhere to the opinion. A few weeks more of news like that we have received for some time back may dispose of it without further difficulty. On the other hand, a contrary current would subject us to needless mortification in a refusal. There is no change worthy of note in the state of affairs here. The late naval action in Hampton roads has made a great sensation, and is regarded as likely to work a complete change in the policy of this country in fortifications and the naval marine. You will not fail to observe the notice already taken of it in Parliament. The subject is to be resumed to-morrow night. The opinion of the military and naval efficiency of the United States has undergone an astonishing change within the last month.

I transmit herewith a copy of Lord Russell's note to me of the 27th, in reply to mine of the 25th of March, on the subject of the gunboat Oreto and the agency of British subjects in supplying aid to the rebels. The Oreto has sailed from Liverpool.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of the Navy, Washington, D. C.

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *March* 27, 1862.

SIR: Upon receiving your letter of the 25th instant I immediately directed that the treasury and customs department should be requested to take such steps as may be necessary to ascertain whether the Oreto is equipped for the purpose of making war on the United States; and if that fact can be proved, to detain the vessel.

The charge that nearly all the assistance now obtained from abroad by persons still in arms against the government of the United States, and which enables them to continue the struggle, comes from Great Britain and its dependencies, is somewhat vague. I believe the greater part of the arms and ammunition sent from this country to America during the struggle has gone to the United States.

I agree with you in the statement that the duty of nations in amity with each other is not to suffer their good faith to be violated by ill-disposed persons within their borders, merely from the inefficiency of their prohibitory policy. But it is, at the same time, a duty not to punish persons on suspicion, without any proof of their evil intent. It is not the custom of this country to deprive any person of liberty or property without evidence of some offence. If such evidence can be obtained, the laws are sufficient to prevent the accomplishment of their evil designs against friendly nations.

You have not yourself hitherto furnished me with evidence that any vessel has received a hostile or warlike equipment in British waters, which has been afterwards used against the United States. The care that was taken to prevent the warlike equipment of the Nashville, in British waters, must be familiar to your recollection.

With regard to co-operation with the policy of the United States in respect to the blockade, I must remind you that Great Britain has abstained, as far as possible, from complaints of the irregularity of the blockade which has been instituted.

Her Majesty's government have been mindful of the suddenness of the danger with which the United States were threatened; of the inadequacy of the naval force then at the disposal of the government, and of the great difficulty of blockading a coast of three thousand miles. But beyond forbearance and a liberal interpretation of the law of nations in favor of the United States her Majesty's government cannot go. If by co-operation with the policy of the United States is meant either taking part in the civil war still raging, or imposing restraints on the Queen's subjects unknown to international law, I cannot undertake that her Majesty's government will adopt either of those courses. It would be an unheard-of measure to prohibit merchants from sending ships to sea destined to the southern ports. Should such ships attempt to violate the blockade, capture and condemnation are the proper penalty of such attempts. No authority can be found for any other.

But while these attempts are made on the one side, the United States government have willingly received in the ranks of their army British subjects, who violate the Queen's proclamation, in order to serve against the confederates. Nay, the law of the United States, by which parents can prevent the enlistment of their sons, being minors, has been set aside, to the prejudice of British subjects, the fathers and mothers of thoughtless lads of sixteen or seventeen years of age.

These evils are perhaps inseparable from the unhappy contest now carried on in America. I can only trust it may have a speedy termination, suitable to the reputation of the United States, and conducive to the future happiness of all the inhabitants of a country so lately prosperous and united.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 224.]

Department of State,
Washington, April 3, 1862.

Sir: Your despatch of the 7th of March (No. 128) was received.

Every new instance of running the blockade excites equally surprise and impatience. The escape of the Nashville from Beaufort was especially provoking. I can account for the deficiency of steam vessels there only upon the ground that they were wanted for the emergency then expected at Norfolk. The late achievement of the Merrimack in Hampton roads at first perplexed and alarmed all our naval agents and officers. They have, however, made preparations for her coming out again, and they express entire confidence in their ability to master her. Meantime the blockade is actually becoming a siege, which we trust will soon result in occupation of the insurrectionary ports.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 225.]

Department of State,
Washington, April 4, 1862.

Sir: I regret to be obliged to revert to a subject upon which I have already written to you more than once with deep concern, namely, the fitting out of vessels of war in England for the service of the insurgents.

The report now comes to us that one or two iron-clad vessels for that service are ready in England, and that Captain Bullock is there with men to bring them to our shores.

It is notorious that while the government of Great Britain have formally departed from the friendly relations which existed between the two countries before the insurrection began, and have assumed an attitude of neutrality between the belligerents and this government, British subjects have become aiders and abettors of the insurrection in every possible way, and that the arms, ammunition, and military stores of the insurgents are constantly shipped from British ports, and those who bring them are provided in every form with directions and facilities for entering our country in violation of our blockade.

This government entertains no more doubt of the stability of this federal Union than her Majesty's government do of the stability of the union of the United Kingdom of Great Britain and Ireland. Under such circumstances, the question arises whether the government of Great Britain are actually indifferent upon the subject of the relations which must exist between the two countries. Are they willing that, so long as the insurgents shall be able to protract a hopeless warfare against the peace and happiness of the American people, they shall avail themselves of the aid and sympathy of a sordid class of persons in the British islands, to whom the disturbance of lawful commerce and the subversion of all honest interests of either country are of no value when weighed against their own gains from a hostile and unlawful trade?

The President does not believe that the British government are consciously tolerating the injurious practices of which I have complained. But I am instructed to ask you once more to bring these complaints to the notice of Earl Russell, in the hope that the time may have at last come when British subjects, deliberately and wickedly engaged as abettors in the existing warfare against the government, may be subjected to some restraint, or at least be made to feel her Majesty's severe displeasure. The President would not be content without doing all that lies in his power to arrest a growing discontent on the part of the American people, fast ripening into an alienation which would perplex and embarrass the two nations for an indefinite period.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 226.]

DEPARTMENT OF STATE,
Washington, April 8, 1862.

SIR: Your despatch of March 20, No. 132, is before me.

It brings information of no occurrence requiring especial instructions. On the other hand, I find nothing important to add now, when the mail is closing, to the facts and suggestions contained in my despatches previously written. Our armies, held everywhere in the leash, are at the point of being let loose. Important transactions must occur within a few days. It is the part of wisdom to be neither sanguine of success nor disturbed with apprehensions of failure. If the tide of military success shall continue to flow full and strong, we can consent to wait the reluctant but inevitable return of maritime nations to the fraternal positions they abandoned when faction undertook to undermine their fidelity as the most effectual way to compass our destruction.

I have just signed, with Lord Lyons, a treaty which I trust will be approved by the Senate and by the British government. If ratified, it will bring the African slave trade to an end immediately and forever. Had such a treaty been made in 1808, there would now have been no sedition here, and no disagreement between the United States and foreign nations. We are indeed suffering deeply in this civil war. Europe has impatiently condemned and deplored it. Yet it is easy to see already that the calamity will be compensated by incalculable benefits to our country and to mankind. Such are the compensations of providence for the sacrifices it exacts.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

[Extract.]

No. 142.] Legation of the United States,
London, April 11, 1862.

Sir: * * * * * * * *

I transmit herewith the copy of a note of Lord Russell, dated the 8th of April, enclosing a second report on the outfit of the Oreto. In spite of the admission that troops and guns are on board, her Majesty's officers still insist upon being blind to the destination of the vessel, and the government tolerates the abuse.

Since the date of my last I have taken advantage of the absence of any important business here to avail myself of the permission granted me a short time since to visit Paris for the purpose of conferring with Mr. Dayton. I have derived great benefit from the communications made to me, and they will lead to a corresponding change of policy on my part. I can only say now that I shall, as soon as possible, request a conference with Lord Russell in order to re-enforce the arguments that have been presented from the other side of the channel. The effort will be to concentrate the responsibility for any further protraction of the struggle as much as possible on the government here. I shall defer all further discussion of the subject until I can report the result of the conference.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

Foreign Office, *April* 8, 1862.

Lord Russell presents his compliments to Mr. Adams, and, with reference to his letter of the 27th ultimo, has the honor to transmit to him the accompanying copies of a report and its enclosures which have been received from the board of customs respecting the vessel Oreto.

Board of Customs, *Custom-house, April* 6, 1862.

To the Lords Commissioners of her Majesty's treasury:

Your lordships having referred to us the annexed letter from Mr. Hammond, transmitting, by desire of Earl Russell, copy of a further letter addressed by the United States consul at Liverpool to Mr. Adams, the United States minister at this court, in which it is again affirmed that the Oreto is being fitted out as a vessel of war for the southern confederacy, and various statements are reported in support of that assertion, and requesting that your lordships would instruct this board to give directions that the Oreto might be vigilantly watched, and that if any armament prohibited by the foreign enlistment act should be discovered the vessel might be at once detained, we report: That on the receipt of your lordships' reference we directed our collector at Liverpool immediately to inquire into the further allegations made in regard to the Oreto, and to govern himself in accordance with the instructions contained in Mr. Hammond's letter; and having received the report of the collector, we find that the vessel in question was registered on the 3d ultimo in the name of John Henry Thomas, of Liverpool, as sole owner; that she cleared on the following day for Palermo and Jamaica in ballast, but did not sail until the 22d, the day on which the American consul's letter is dated, having a crew of fifty-two men, all British with the exception of three or four, one of whom only was an American. She had no gunpowder, nor even a signal gun, and no colors saving Marryatt's code of signals and a British ensign, nor any goods on board excepting the stores enumerated on the accompanying copy of her victualling bill.

With regard to the statements in the letter of the consul, the collector further reports that it is clear the passengers brought by the Annie Childs, the vessel therein mentioned, which has recently arrived from one of the southern States, were not intended to form any portion of the crew of the Oreto, inasmuch as they were still in Liverpool, and that the dipping of the ensign on board the latter vessel on the arrival of the Annie Childs, as far as the collector had been enabled to ascertain, was intended as a compliment to one of the Cunard steamers and another vessel which saluted the Annie Childs on her arrival, the masters of the several vessels being known to one another.

THOS. F. FREEMANTLE.
GRENVILLE C. BERKELEY.

VICTUALLING BILL.

Pilot, ——, granted number, (662.)
Port of Liverpool, "Oreto."

Bonded and drawback stores in the ——, James A. Dugud, master, for Palermo and Jamaica.

Men, 52; passengers or troops, —; guns, —; 178 tons.

	Net quantities taken on board.
Spirits, foreign.	
Rum, per gallon	2 cases—54 gallons.
Brandy, per gallon	10 cases—20 gallons.
Geneva.	
Other spirits not sweetened.	

Spirits, British or plantation.		
Rum.		
Gin	8 cases—16 gallons.	
Whiskey	12 cases—23$\frac{13}{32}$ gallons.	
Other spirits not sweetened.		
Wine	20 cases—40 gallons.	
Wine for drawback.		
Beer for drawback.		
Vinegar.		
Tea, per pound	3 chests, 5 canisters—240 pounds.	
Coffee	4 bags—646 pounds.	
Coffee, roasted, (for drawback.)		
Cocoa.		
Cocoa paste.		
Sugar, refined, per cwt	1 barrel—1 cwt. 9 lbs.	
Sugar for drawback	5 bags,	13 cwt. 2 qrs. 12 lbs.
Sugar, unrefined	3 barrels,	
Molasses.		
Tobacco for drawback, per pound—		
negrohead	3 boxes—63 lbs.	
roll.		
Cigars	2 boxes—10 pounds.	
Pepper.		
Raisins, per cwt	12 boxes—2 cwt. 1 qr. 26 lbs.	
Currants	11 jars—2 cwt. 1 qr. 18 lbs.	
Figs.		
Prunes.		
Plums.		
Sundries.		
Surplus stores.		

Examined.

J. MUDIE SEARCHER, *Collector.*

Cleared March 4, 1862.

SAMUEL WAKEHUM, *Broker.*
Residence, No. 17 *Park Lane.*

Mr. Seward to Mr. Adams.

No. 228.]

Department of State,
Washington, April 14, 1862.

Sir: Your despatch of the 27th of March, (No. 135,) has been considered by the President.

The continued advances of the national forces, pressing the insurgents equally on the coast and in the interior, have awakened earnest desires and confident expectations of a speedy restoration of peace, with the soothing benefits of internal and foreign commerce. The French government urges us strongly, though not impatiently, to extend facilities for the exportation of cotton. While the President feels well assured that in any case the opening of our ports following the anticipated successes of our arms is not distant, he is impressed with the opinion that it might be safely conceded at once, if the expectations of recognition of sovereignty by the principal maritime powers which the insurgents have built upon their first recognition as belligerents were removed. We are aware that the action of the maritime powers in the direction proposed must probably depend on their coming to the conviction that the insurgent cause has so far failed as to render their ultimate success in casting off the federal authority hopeless. It is the object of this paper to enable you to show the British government that such is the actual situation of affairs in this country. Your despatch now before me intimates the opinion on your part that it would be indiscreet at the date of that paper to raise the question. A month full of military successes resulting in great changes in the situation of the parties has, however, elapsed since you received the information upon which that opinion was founded, and I am instructed to present the subject again, leaving you, however, absolutely free to determine for yourself the time and the manner when and in which you will bring it to the attention of Earl Russell. The President well understands that partisan and even national interests existing in Great Britain and at the same time imperfectly understood here must have much influence upon the exercise of the discretion thus confided to you. His object will be attained if you are only armed with the facts and the arguments proper for the occasion when it shall seem to yourself to have arrived.

This despatch is accompanied by a map of the middle, southern, and southwestern States, which will elucidate the views I have occasion to submit.

It is known that all the free States are loyal to the Union; that the insurrection had its spring in the slave States, and that it aims to separate them all from the Union, and embrace them in a new sovereign confederacy. There is not one regiment, or battalion, or even company of men, which was organized in or derived from the free States and Territories, in arms anywhere against the Union. Some regiments derived from the border slave States are found in the slave States in hostilities against the federal authorities, while others equally or more numerous are supporting them there. Missouri, Kentucky, Tennessee, and Virginia, all border slave States, respectively, have contributed large bodies of men to the armies of the Union. Missouri, a border slave State west of the Mississippi, has been cleared of all organized military bodies of insurgents, and for some time past has ceased to be troubled by guerillas. The battle of Pea Ridge, in which General Curtis beat Van Dorn, Price, McIntosh, and McCullough, has firmly established General Curtis and the national colors in the northwestern part of Arkansas, an interior slave State. No insurrectionary forces remain in Kentucky, also a border slave State. All the fortified positions of the insurgents have been abandoned, and the southern border of Tennessee, an interior slave State, has been crossed by the advancing armies of the nation, which, after the victories of Fort Henry, Fort Donelson, the occupation of Bowling Green, Nashville, Murfreesborough, and Columbus, a few days since captured the fortified position of Island No. 10, in the Mississippi, with one hundred heavy guns, thirty pieces of field artillery, six thousand prisoners, and on the same day, after a two days' contest, repulsed and beat the insurgent army, said to be eighty thousand strong, at Pittsburg Landing, with the loss of their chief, General A. S. Johnston. Four days afterwards General Mitchell, with a column of the same federal army, by a forced march, occupied, without loss, Huntsville, in the State of Alabama, one of the Gulf slave States, and captured some two hundred prisoners, fifteen locomotive engines, and many railroad carriages, which will be very useful in future operations. Immediately afterwards he captured Decatur and the Chattanooga Junction, and thus got possession of one hundred and ten miles of the railroad. This stroke is important, as it cuts off the great artery of connexion by railroad between Memphis and Richmond and the southeastern slave States. Jacksonville, in Eastern Tennessee, has been visited by our forces, and thus it is seen that they are approaching Knoxville, the principal city in that always intensely loyal part of the State of Tennessee.

The western part of Virginia has been cleared of insurgents and General Frémont has put his army in motion. From Monterey and Moorfield two columns are advancing. General Banks is ascending the valley of the Shenandoah, while General Blenker's division is on the march from Warrenton towards Strasburg, to unite with General Banks in the moment which promises to cut the Virginia and Covington railroad first, then the Southwestern Valley railroad of Virginia, and thus sever communication which connects Richmond, the seat of the insurrection, and Knoxville, before named. General McDowell, with the army covering Washington, occupies the region between Washington and the Rappahannock, and the news comes to-day that the insurgents are abandoning their entire line on that river and retiring to the vicinity of Richmond. The Eastern Shore of Virginia has been relieved by General Lockwood's brigade from the small insurgent force which early organized itself there. General McClellan on the York river, and General Wool at Fortress Monroe, with the main body of the army of the Potomac, lay siege upon Yorktown, which is defended by the insurgent leaders Lee, J. E. Johnston, and Magruder.

General Burnside occupies the cities and sounds and coasts of eastern North Carolina, and besieges Fort Macon, which is cut off from all succor. These forces have cleared all the insurgent bodies out of a slave territory once occupied by them, containing one hundred and fifty thousand square miles and a population of three millions.

One-half of the coast of South Carolina, the whole coast of Georgia, and the harbors, cities, and coasts of East Florida, are occupied by the army which lately was under the command of General Sherman, who has been replaced by General Hunter; and the fortresses of the Florida reef, situate at Key West, the Tortugas islands, and at the harbors of Tamba Bay and Cedar Keys; Fort Pickens, commanding the entrance to Pensacola; Ship Island, Biloxi, and Pass Christian, on the coast of Mississippi, as well as the head of the delta of the Mississippi river, all are occupied and securely held by national forces. Fort Pulaski, on the Savannah river, after a bombardment of several days, surrendered yesterday. There is scarce a harbor on the whole coast, from the Chesapeake to the Mississippi, which is not hermetically sealed by a force occupying some island or headland, as well as by the blockading squadron. Charleston, St. Mark's, Apalachicola, and Mobile, although not yet occupied by troops, are closely blockaded by our fleet. New Orleans is threatened by the bomb fleet of Captain Porter, who is ascending the Mississippi river, and by the iron-clad flotilla of Captain Foote, which has just sailed from the late investing stronghold of No. 10, and is now with General Pope's army under convoy, descending the same river. A few days, we think, will complete the opening of the Mississippi, and restore to the northwestern States that natural passage for their immense commerce with the other States and with foreign countries which the insurgents have so insanely attempted to close, in violation of all the laws of trade and even of nature itself.

The national forces, among whom there is not one conscript or involuntary soldier, according to the official returns, consist of seven hundred and eleven thousand men. They are amply provided with arms of precision, with artillery, with wagons, and other transports; horses, tents, clothing, and all the provisions and apparel of war. Provisions are cheap and abundant. The magazines contain clothing and tents for several months' supply, and the people still press upon the quartermaster general their offers of additional supplies.

An order from the Secretary of War to receive no more volunteers is bringing back upon him remonstrances and entreaties, not only from individuals but from States, under which he is constrained to accept regiments newly filled. Twenty-five thousand prisoners, carefully guarded in the loyal States, are astonished at finding themselves better fed, better clothed, and more humanely treated than when bearing arms against their country at the call of factious and treasonable chiefs. These chiefs have for months past been resorting to levies *en masse*, or to drafts, forcing the young and the aged, loyal, and the disloyal—all alike, and however unwilling—into their unlawful service.

Perhaps a million of men, thus variously brought into the field, are now in arms in a country which, one year ago, had a military force of only twelve thousand men. All the troops of the Union are well equipped, well drilled, and disciplined; they are good marksmen, and have patriotism and courage. They make much and skilful use of the bayonet and always with success. They are everywhere advancing. They have taken every position they have approached, and have won, with an important exception, not only every battle but even every skirmish in which, within the last three months, they have engaged.

Missouri, Kentucky, a great part of Tennessee, Western Virginia, and Eastern Florida, have been abandoned by the insurgent leaders. The national flag has been planted securely at one or more points in every State except Texas. The richest part of the territory claimed by the revolutionists for the seat of their pretended confederacy has been reclaimed from their rule and their attempts at taxation; and there is left to support the enormous expenses of the insurrection only the States which produce little else than cotton; and what cotton they now have on hand the insurgents threaten to burn, because they have no outlet for its exportation, and no hope of rescuing it from the returning allegiance of the people to the national Union.

It is believed that this survey of the military position of the government may serve to satisfy Great Britain that those statesmen here and abroad who, a year ago, mistook a political syncope for national death and dissolution, altogether misunderstood the resources, the character, and the energies of the American Union. The blood that at first retreated to the heart is now coursing healthily through all the veins and arteries of the whole system; and what seemed at first to be a hopeless paralysis, was in fact but the beginning of an organic change to more robust and vigorous health than the nation has ever before enjoyed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 144.]

Legation of the United States,
London, April 16, 1862.

Sir: I have this morning received despatches from the department numbered from 214 to 217, inclusive. I yesterday succeeded in obtaining the expected conference with Lord Russell. I began by reading to him the copy of your despatch No. 8, containing instructions to Mr. Burlingame, in

China, agreeably to your direction, and I made an offer to leave a copy with him, which he accepted.

I then opened the main topic with which I was charged. I expressed to his lordship my reluctance to touch upon any subject which looked like complaint at this time, when everything was so quiet between the two countries, but it seemed to be the duty of public men not to confine themselves merely to the study of the present. If there were reasons to suspect the existence of causes of irritation which might lead to serious differences between nations, even at a remote period, it was the part of prudence to make an early effort to remove them. In this sense, I desired to speak of the tendency of the efforts continually making here, reports of which were sent by every steamer to America, to supply to the insurgents the means of persevering in their resistance to the government. It could not admit of a doubt that their hopes of final success, though much weakened, were still buoyed up by the encouragement obtained in the supplies from here. On the other hand, the people of the United States drew inferences of a hostile disposition to them in a corresponding degree from the same sources. I was bound in frankness to add that the various occurrences which confirm this notion were too apt to revive the recollection of the original measure to which they were traced as natural consequences. I had reason to believe the government to be so strongly convinced of the fact that the original recognition of the rebels as a belligerent was their only remaining moral support, that I felt it my duty once more to bring the subject to the attention of her Majesty's government. Although I had heretofore received repeated requests so to do, I had been indisposed to press it, from a belief that any such movement would be unavailing. In a late visit to Paris, however, where I had conferred with Mr. Dayton, I had learned from him that in a personal conversation with the Emperor, in the course of which the latter had represented the urgency of the necessity for cotton, he had, in reply, dwelt upon the difficulties experienced from the effects of the Emperor's recognition of the belligerent right of the rebels in prolonging the war, and had pressed for the withdrawal of it. The Emperor had not shown himself averse to entertaining the question, but had referred to his co-operation with Great Britain and to the necessity it imposed of consultation with it in this case. The knowledge of this fact had determined me on my side to propose the same thing here. I should not go into any repetition of the argument on the subject, but should content myself with expressing the conviction that nothing would more conduce to establish perfect confidence in the disposition of Great Britain, and to accelerate the reopening of the customary intercourse and trade between the two countries, than such a step.

His lordship alluded, first, to my report of Mr. Dayton's conversation with the Emperor. He presumed it was confidential, and therefore he could take no cognizance of it. All that he was bound to know was what had been mentioned by Mr. Thouvenel to Lord Cowley of Mr. Dayton's conference with him. He had only learned by this that there was some general conversation. He did not learn that Mr. Dayton had offered any distinct proposition. No reference of the matter had been made to this government by the French. I said this was precisely the point I desired to arrive at. The impression I received was that such a reference had been promised.

I did not tell Lord Russell the most significant portion of Mr. Dayton's report of his conversation with the Emperor, because I felt bound not to commit him. From the tenor of yours to me (No. 217) of the 31st March, I am led to believe you are fully possessed of it. My object was simply to see where the responsibility for the policy rests. A discovery which a comparison of the tone maintained by the respective parties renders it not difficult to reach.

His lordship enlarged once more upon the magnitude of the region engaged in the revolt, and upon the urgency of the call to provide for the new emergency. He attempted an analogy between the course taken by Great Britain in this case and that of the United States towards South America after the revolt of the dependencies of Spain. Subsequent events had only confirmed the correctness of the decision. For the very efforts to which the United States had been compelled to resort proved the magnitude of the task undertaken, and they were still engaged in pursuing their object without absolute certainty of success. The wish of Great Britain was to remain neutral and impartial. They had no cause of quarrel with the southern States. We might fight it out with them. The southern people seemed, from the accounts in the morning papers, to be finding equal fault on their side for their not taking part with them. We on our part seemed to be urging for what was equivalent to joining our side to put them down, yet that was a course which we had professed not to desire.

To this I replied that very certainly we did not desire it. What we did desire was, that foreign nations would leave the matter entirely in our hands. What we complained of was, that the course adopted was not neutrality. That it had not been so regarded by the insurgents themselves was made apparent in the very documents published at the opening of Parliament; for it was certain that the early overtures made by the two powers to obtain a sanction of the declaration of Paris had been construed at Richmond, and, as I thought, with reason, as a ground to expect a further acknowledgment. It seemed to me they had some right to complain of a disappointment of their hopes then raised. I begged, furthermore, to advance an opinion that there was not an example in all the history of the United States or of Great Britain, nay I might say of any civilized nation of the world, of so precipitate a recognition of belligerent rights to insurgents as this one of which we were treating. If there was such an instance, I should be glad to see it. Upon the basis thus made there could be no question that much of the perseverance in resistance had rested, and did still rest. A withdrawal of this recognition was the only thing that would put an end to the delusion. On the other hand, the continuance of it but served to countenance and to stimulate the efforts pertinaciously made by people in Great Britain to sustain them. This led me naturally to enlarge upon the effect produced upon the people of the United States as well as the government by the frequent accounts of the manner in which vessels of all kinds were fitted out from the ports of Great Britain to assist the insurgents. Most of the consuls weekly sent home a repetition of the same story. I had even been told by one of them lately that he believed as many as fifteen vessels were now preparing to make the voyage. Such things could not go on without giving rise to unpleasant implications, which, however unfounded, would be likely to be so far credited as to render them as dangerous as if they were facts. I remarked that his lordship must be aware that the answer that nothing could be done was very unsatisfactory; because it might be fairly presumed that every nation that possessed the will naturally carried within itself the power to prevent abuses of its authority.

His lordship replied, in substance, by expressing his belief that the parties engaged in these undertakings were not so much interested in the cause of the insurgents as in the profits to be expected by running the blockade. Such attempts always would be made in similar cases. For the rest these adventurers were compelled to take their own risk. They had the dangers of capture to encounter, and the certainty of being deprived of their rights of reclamation. The government had no disposition to give them protection.

I observed that this reasoning seemed hardly satisfactory or consoling to persons exposed by the effects of such acts to a long and painful and costly extension of their labors of repression. I then put it to his lordship distinctly, if Great Britain would be contented, should the people of Canada break out into open rebellion, to find the United States promptly declare a neutrality, recognize the rebels as a belligerent power, and then from myriads of posts along the extensive line of boundary and the many harbors on the seaboard tolerate the equipment and despatch of numerous vessels freighted with all the materials necessary to protract the struggle? I very much doubted whether his lordship would be perfectly quiescent under the answer that no violation of neutrality had been committed, and that no power existed to put a stop to the proceedings. His lordship met this by saying that he should certainly object to any such *direct* expeditions; but there was no evidence in any of the cases I had brought up of destination or of wrong intention. In that of the Oreto, upon which I had addressed a note to him, he had directed an investigation to be made, and the authorities at Liverpool had reported that there was no ground for doubting the legality of her voyage.

I replied that this was exactly what gave such unpleasant impressions to us in America. The Oreto, by the very paper furnished from the custom-house, was shown to be laden with a hundred and seventy tons of arms, and to have persons called *troops* on board, destined for Palermo *and* Jamaica. The very statement of the case was enough to show what was really intended. The fact of her true destination was notorious all over Liverpool. No commercial people were blind to it. And the course taken by her Majesty's officers in declaring ignorance only led to an inference most unfavorable to all idea of their neutrality in the struggle. It was just such action as this that was making the difficulties of our government in the way of giving the facilities to the supply of cotton, which they hoped to furnish in a short time if the whole control of means to put an end to the contest was left to them.

His lordship concluded by a polite expression of regret at these circumstances, at the same time that he could not see how the government could change its position.

I concluded the conversation by saying that I had only done my duty.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 232.]

DEPARTMENT OF STATE,
Washington, April 16, 1862.

SIR: Your despatch No. 137, the receipt of which has already been acknowledged, is accompanied by a note which was addressed to you by Earl Russell, in reply to your representations concerning the treatment of the United States ship-of-war the Flambeau at Nassau. The approval of the British government of the proceedings of the governor in that place is regarded by the President as unfriendly towards a power that extends unrestricted hospitalities to the naval as well as the mercantile marine of Great Britain in its ports and harbors. The grievance is not sensibly alleviated by the fact that the government of her Majesty are able to reconcile it with a proclamation issued by her Majesty in May last, conceding the rights of a public belligerent to the insurgents in arms against the United States. The explanation obliges us to renew the declaration this government has so often made, that it regards the proclamation itself as unnecessary, unfriendly, and injurious.

The history of the past year is a record of serious embarrassments of legitimate commerce between the two countries, resulting from the concession of belligerent naval rights to a seditious party in the United States which has never had control of a single port or harbor in its own country. It cannot be the desire of the British government either to reduce the commerce heretofore carried on between the two countries so profitably to both of them, or to suffer occasional irritations to ripen into fruits of animosity between them. You will therefore present the inconveniences complained of to the notice of her Majesty's government as an argument for the revision of that proclamation whenever, in the exercise of your discretion, you shall think such a revision can be pressed for with hope of a candid hearing. The review of our military position, which I submit in a collateral despatch, induces us to hope that such a time is near at hand.

I am, sir, your obedient servant,

WILLIAM H. SEWARD

Charles Francis Adams, Esq , *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 235.]

Department of State,
Washington, April 19, 1862.

Sir: Your despatch of April 3 (No. 140) has been submitted to the President, together with the note addressed to you by Earl Russell bearing on the subject discussed. All the grievances which disturb our people and tend to alienate them from Great Britain seem deducible from the concessions made by her to the insurgents at the beginning of this civil war. All the explanations we receive from Great Britain seem to imply a conviction that this civil war must end in the overthrow of the federal Union. The ultimate consequence of such a calamity would be that this great country would be divided into factions and hostile states and confederations, as Greece and Italy and Spanish America have been.

You can do no more in the present conjuncture than to give his lordship, from time to time, fresh and accumulating evidence of our purpose and our ability to pursue to a successful end the course which we have learned from our British ancestry, namely, to hold the constituent States of our great realm in perpetual and indissoluble union. You will, as I have before advised, do this in such way and at such times and seasons as your own discretion may approve.

If the British government shall do us full justice, they will be satisfied that the change of attitude we ask is suggested by us upon a profound conviction that it would be equally beneficial to Great Britain and to the United States. The President cannot consent to be responsible, now or hereafter, for any degree of alienation between the two countries which is now arising, or which shall reveal itself hereafter.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 146.]

LEGATION OF THE UNITED STATES,
London, April 24, 1862.

SIR: Since the date of my last, despatches from the department, numbered from 218 to 226, both inclusive, have been received. I do not perceive that they call for particular comment, as in some cases the directions given have been anticipated, and in others the topics have already been in a measure exhausted.

The most important event that has happened here, as connected with this legation, has been the notice received from Mr. Dudley, the consul at Liverpool, of the arrival of the ship Emily St. Pierre, on Monday, the 21st instant, at that port, instead of Philadelphia, to which she had been ordered by Captain Goldsborough for attempting to break the blockade, and the application made by the crew to him for aid, they having been mastered by the captain and two hands left on board whilst on the voyage. Mr. Dudley sent at once to this legation for instructions how to act. I directed him to take the depositions of the men, and send them to me, together with all the papers in their hands connected with the case. These did not fully reach me until this morning. After a full consideration of the substance of them, I considered the matter so clear as to justify me in proceeding at once to present a claim on her Majesty's government for the restoration of the ship. I have therefore addressed a note this morning to Lord Russell, recapitulating the facts of the case, and assuming the law without the necessity of argument. I have the honor to transmit a copy herewith.

The probability is, that this ship has been placed under a British register by the firm of Fraser, Trenholm & Co., of Liverpool, for the purpose of covering the property which they hold in common with persons in South Carolina. Some time in the month of July last I received from Mr. Wilding information of the transfer under British protection of a number of vessels, of which this was one. They have been since employed, more or less actively, in carrying supplies to the rebels by evasions of the blockade. I have so little confidence in the efficacy of any reclamation that I may make, that I will not predict what the issue in this case will be. But it seems to me to form an important part of the record which will remain to show the disposition of this country towards the United States during their day of trial.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, April 24, 1862.

MY LORD: I have the honor to submit to your consideration copies of certain depositions and other papers which have been transmitted to me by Thomas H. Dudley, esq., the consul of the United States at Liverpool, touching the case of the Emily St. Pierre, a vessel which arrived on the 21st instant at that port.

It would appear from these papers that the Emily St. Pierre, a ship sailing under a British register, and belonging to British subjects residing in Liverpool, was found, on the 18th of March last, by the officer commanding the naval force of the United States, attempting to run into the port of Charleston, in South Carolina, in violation of the blockade there legitimately established. In consequence of this, the ship was seized, the crew, with the exception of the commander, the steward, and cook, taken out, and a prize crew, consisting of three officers and twelve men, put on board, with directions to proceed to Philadelphia, in order that the necessary measures might be at once adopted to submit the question of the validity of the capture to the regularly constituted tribunal for final adjudication. The original papers establishing these facts are now in my hands, prior to their transmission of them to the government of the United States.

It further appears that the captain of the Emily St. Pierre, being, according to the established rule in the case of neutral vessels so seized, left at large and under no constraint, assumed the responsibility of preventing the regular process of adjudication, and of taking the law into his own hands, by contriving a method of surprise and rescue by force of the ship so situated out of the hands of the possessor. Having succeeded in this attempt, he has compelled the United States seamen, by threatening their lives, to navigate the ship to the port of Liverpool, where he threw them upon the mercy of the world, whilst he seeks to shelter himself under the protection of her Majesty's authority against the consequences of this outrageous proceeding.

Should the facts prove to be as herein stated, I believe I may say with confidence that the law bearing upon the case is quite well established. Such an act committed by the master of a neutral vessel has long since been decided not simply to be wrongful, but even to work a total confiscation of vessel and cargo intrusted to his care. The opposition thus shown to lawful inquiry too strongly indicates the unlawful intent of the voyage to justify the extension to it of any protection by the government of a friendly power. Not doubting the sincere disposition of her Majesty's government to adhere to the principles which it declared at the outset of the differences in the United States, I pray your lordship's early consideration of the subject, to the end that suitable directions may be given to restore the vessel at an early day to the authority from which it has been so violently taken.

Renewing to your lordship the assurance of my highest consideration, I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. Earl Russell, *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 148.]

Legation of the United States,
London, April 25, 1862.

Sir: In consequence of the necessity of another removal of the legation, which has been attended with the usual amount of confusion, I am not in a situation to write this week so fully as I could wish. I can only call your attention to the speech of Mr. Gladstone, at Manchester, which is reported in the Times of this morning. I am sorry to say that it is not in quite so friendly a tone as his former one on the same subject. Indeed, it seems to me that public opinion shows signs of fluctuation, just in proportion to the character of the news from America. The paragraph in the President's proclamation which relates to the removal of the dangers from foreign intervention is not well received, perhaps, because it touches the sore too abruptly. As the period approaches when the end of the existing stock of cotton grows more and more visible, the distress of the operatives appears more aggravated, and the speculations as to the future are more freely indulged in. The movements of the Emperor are watched with more interest, and hopes are undoubtedly cherished, in secret, that he will have the courage to do what many here wish, but are ashamed to declare to the world.

In the meantime outfits of vessels with supplies to run the blockade go on with increased vigor. Every account received of a successful voyage stimulates to enlarged contributions. It is very much to be regretted that our seamen have not shown themselves so well skilled in the duty of patient vigilance on the sea-coast, as in more daring and positive enterprises on our internal waters. The successes of the latter, however brilliant and prized at home, do not have an effect in this country sufficient to compensate for the former deficiencies. Unfortunately, there are many men in Great Britain ready to re-echo the saying of the Dutch merchants caught in supplying the enemy with powder in the war of independence in Holland, that "they would, if money were to be made by it, send supplies even to hell, at the risk of burning their sails."

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 238.]

Department of State,
Washington, April 26, 1862.

Sir: Your despatch of April 11, 1862, has been received. It is certainly to be regretted that the British government does not see fit to arrest, in some way, the proceedings of the parties engaged in supplying the insurrectionists in our country with materiel of war. How singularly this course contrasts with the generous enthusiasm of those states which send us soldiers by hundreds of thousands to uphold the American Union.

I have little to add to my recent communications concerning the military movements of the hour. Our generals are crowding the insurgents before them in northern and western Virginia. We hear, at last, of course through insurgent organs, of the beginning of the bombardment of the forts on the Mississippi, below New Orleans, by Captain Porter. We constantly expect the surrender of Fort Macon. But the exciting care of the hour is divided between Yorktown and Corinth. Battles there are imminent. The gain of either of these fields would have a decisive effect. The loss of both seems hardly possible, although calculations upon particular results in war are always uncertain.

The President approves of your visit at Paris, and of the policy you have concluded to adopt as a result of your conference with Mr. Dayton.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 240.]

Department of State,
Washington, April 28, 1862.

Sir: To-day the country is assuming that the fate of this unnatural war is determined by the great event of the capture of New Orleans, which was effected by a naval expedition on the 24th instant. I trust that the anticipation will be sustained.

Captain Bullock, of Georgia, is understood to have written that he has five steamers built, or bought, armed, and supplied with materiel of war in England, which are now about leaving or are on their way to aid the insurgents.

We are prepared to meet them. But the reflection occurs, are the maritime powers of Europe willing that the suppression of this insurrection shall be forever associated in the memory of mankind with the conviction that the sympathies of Europe were lent to the abortive revolution?

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 244.]

Department of State,
Washington, May 1, 1862.

Sir: Mr. Dudley, our vigilant consul at Liverpool, writes that the subscription which was gotten up in that place to aid the insurrection in this country mounted up to £40,000 sterling, and that all that large sum of money has been invested in arms and munitions of war. He states also that a second subscription for the same purpose is now being filled up at the same place.

I can hardly doubt that he has brought these facts to your notice, and that you have called the attention of her Majesty's government to them.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 150.]

Legation of the United States,
London, May 2, 1862.

Sir: Yesterday the great international exhibition was opened with a formal ceremony by the commissioners to whom the Queen had delegated the power. It was, in every respect, successful, though the absence of the sovereign and the loss of the guiding spirit of the movement could not fail to have its influence in checking the enthusiasm of the occasion. In the meantime, however, no business has been done, and the public attention has been so much concentrated upon the immediate object as to leave little disposition to dwell upon others more remote.

At the same time it is impossible not to perceive a slight revival of the hopes of the enemies of our government, and a decided increase of the pressure for some kind of intervention in the struggle. The intelligence of the expedition of Mr. Mercier to Richmond has been received with more or less favor, as well as the confederate version of the conflict at Pittsburg Landing, and the supposed obstacles to our advance at Yorktown. I mention all these things only as symptoms of a disposition, in some influential quarters, which nothing but the steady current of our success for a period, nearly, of three months last past has been able to keep in check. There is no reason to doubt that the distress in the manufacturing districts is becoming more and more serious as the season advances. Movements are already on foot for procuring the aid of Parliament, which may have the effect of reopening the discussion of the American question. At the same time there is no indication of any power to raise up party divisions. Lord Palmerston and Mr. Gladstone appear to carry through all their measures of supply so rapidly that there is every prospect of an early prorogation of Parliament, from the exhaustion of materials with which to keep it together. I am not without strong hopes that it may take place in season to avoid further causes of irritation between us.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 151.]

LEGATION OF THE UNITED STATES,
London, May 2, 1862.

SIR: Some days ago I received from Lord Russell the note, a copy of which I now transmit, making a representation to me concerning the capture of the steamer Labuan. As the case had been already placed before you by Lord Lyons, and as whatever evidence there was in relation to it must have been known by his lordship to be on the other side of the water, I confess this proceeding caused in me some little surprise. But as information had been long since furnished to me that this was one of the vessels sent from here by the friends of the insurgents with supplies, I postponed my answer for a few days, in the hope of being able to obtain more specific details as to her operations. In this hope, therefore, I have been disappointed for reasons which I fully understand; of the truth of the averment, however, I have no reason to doubt. Under these circumstances I have at last concluded to draw up a reply to his lordship's note, embodying some general views drawn from the substance of my last conversation with him, which I deem this a good opportunity to put in writing. A copy of my note will accompany this despatch.

Nothing has been received touching my claim for the restoration of the Emily St. Pierre, excepting an acknowledgment of its reception and a promise to give it consideration. I transmit a copy of his lordship's note on that subject. In the meantime the prize crew still remains at Liverpool under my directions awaiting a decision of the question.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *April* 19, 1862.

SIR: You are doubtless aware of the circumstances under which the British steamer Labuan was lately seized at Matamoras, Mexico, by the United States frigate Portsmouth and conveyed to New York as a prize.

That case has appeared to her Majesty's government to present a very serious aspect, not only as regards the interests of the British owners of the Labuan and of a portion of her cargo, but as regards the principle involved in her seizure, and in the conduct and declarations of the captain of the Portsmouth. I have not failed to instruct her Majesty's minister at Washington to make a fitting representation of the case to the United States government, and I learn from Lord Lyons that Mr. Seward has caused directions to be given that seizures under circumstances similar to those under which the Labuan was captured shall not be repeated. Mr. Seward, however, though not satisfied that the capture was a legal one, considers it preferable that nothing further should be done in the matter until the result of the judicial proceedings shall be arrived at; in other words, Mr. Seward, though he does not conceal his opinion that the capture of the Labuan was unjustifiable, and notwithstanding that the whole case has been confidentially put before him by Lord Lyons, declines to order her release, but insists upon the case being left to the distant and uncertain result of proceedings before a prize court.

It cannot be contended that this course, even if it should result in the award of heavy damages, can be otherwise than extremely hurtful and prejudicial to the parties interested, but the possible amount of damages cannot affect the international question of the validity of the capture; and unless the government of the United States is prepared to maintain, as their consul before the prize court must endeavor to do, that the capture was justifiable, that government has not internationally any sufficient justification for retaining wrongful possession of the ship and cargo, and sending them for adjudication before the prize court, after and notwithstanding the formal intervention of her Majesty's government.

The course taken by the United States government in the case of the Labuan is all the more to be regretted, since it appears from papers which have been communicated to Congress that in the case of two neutral vessels, the one a Spanish, the other a Danish ship, which had been unjustifiably captured, the United States government has not only released such vessels without sending them before a prize court, but has also consented to pay compensation to those interested therein.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, *April* 30, 1862.

MY LORD: I have to ask pardon for delaying an acknowledgment of your note of the 19th instant, touching the case of the steamer Labuan lately seized by the United States frigate Portsmouth and conveyed to New York as a prize.

Not having received from the government of the United States any instructions on the subject, and knowing nothing from official sources of the precise facts attending the seizure of that vessel, I am in no situation to express more than my own opinion upon it. I shall do myself the honor to transmit your lordship's note to the Department of State, where I am led to understand that the matter has already been brought to its attention by Lord Lyons. I do not entertain a doubt of the disposition of the President carefully to respect the just rights of every nation in amity with the United States, and to make the amplest reparation for any casual injury committed in the course of the present difficulties the moment that the justice of the claim shall have been established.

At the same time I deem it my duty to represent to your lordship the fact that the government of the United States finds itself involved in peculiar embarrassment in regard to its policy towards the vessels of Great Britain from the difficulty, to which I have repeatedly called your lordship's attention, of distinguishing between the lawful and the unlawful trade carried on upon the coast of the United States in vessels bearing her Majesty's flag. It comes presented to me in so many forms of evidence that I cannot avoid the painful conviction that a systematic plan, founded on the intent to annul her Majesty's proclamation by steady efforts to violate the blockade through vessels either actually British, or else sailing under British colors, has been in operation in this island for many months, and becomes more rather than less extensive with the progress of time. If, therefore, it happens that a Spanish or a Danish ship when seized is more readily released than a British ship, the reason must be found, not in any disposition to be more partial to those nations, so much as in the fact that they have been incomparably less involved in the suspicion of attempting illegitimate methods of trade. The channels through which these enterprises serve so unfortunately to procrastinate the war, by encouraging the hopes of the insurgents, are too well known to admit of dispute. It is equally certain that her Majesty's government, in reply to the representations and remonstrances heretofore made by me, under instructions from my government, have candidly admitted their inability to put any stop to them whatever. Hence, it must naturally occur to your lordship's mind that, if in some cases the government, driven to the necessity of applying more stringent measures of prevention than it desires to this illicit commerce, should happen occasionally to involve an innocent party in the suspicion attached to so many guilty ones, it must seek its justification in the painful necessity consequent upon the inefficiency of the British law to give it that protection which, as a friendly nation, it would seem entitled to enjoy.

It may, then, be reasonably presumed, at first blush, that the mere fact of sending the steamer Labuan to be adjudicated upon by a prize court, will find its justification in the fact that that vessel had become involved in a suspicion not unfairly attaching itself to all vessels sailing under British colors in the neighborhood of the place where she was taken. But I regret to be compelled further to apprise your lordship that, in this particular instance, the intentions of the steamer Labuan, from the period of her first departure from Great Britain, have been understood to be such as justly to excite the strongest suspicion, and, taken in connexion with her appearance in the spot where she was seized, to constitute a fair question, at least, for the determination of a prize court. Disclaiming the right to enter into the merits of the case on this side of the Atlantic, where I am not in possession of the evidence, either of her innocence or her guilt, and disavowing all acquaintance with the views taken of the matter by the President, I have felt myself constrained, by the honor your lordship has done me in calling my attention to the subject, respectfully to submit my own views for your consideration.

Renewing to your lordship the assurances of my highest consideration, I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. EARL RUSSELL, *&c.*, *&c.*

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *April* 24, 1862.

SIR: I have the honor to acknowledge the receipt of your letter of this day's date, applying for the restoration of the Emily St. Pierre, a vessel captured by one of the cruisers of the United States, on the charge of attempting to break the blockade, but which was subsequently retaken by the master and brought to Liverpool; and I have to state to you, in reply, that your representation shall be duly considered.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 245.]

DEPARTMENT OF STATE,
Washington, *May* 5, 1862.

SIR: Your despatch of April 16 (No. 144) has arrived this morning, and the mail for Europe closes this evening.

I advised you by telegram, sent out by the last steamer, of the capture of New Orleans. I have now to inform you that Fort Macon has surrendered to our siege, and that Yorktown has just been relinquished to our army on the eve of an anticipated bombardment. General McClellan is marching up the Peninsula towards Richmond, and General McDowell is opening his way downward towards the same capital from Fredericksburg.

If our information is correct, the insurgent army is evacuating Corinth. The spurious congress of the insurgents has suddenly adjourned. Their fiscal system must by this time have exploded, and their military connexions are everywhere broken. It is a very pleasant addition to this news that two of the British steamers lately fitted out at Liverpool with ammunition and arms for the insurgents have been captured by our blockading fleet. Thus the tide of success seems to be flowing full and strong. Acting upon the confidence which it has produced, we have opened New Orleans to correspondence, and we are taking measures for an early opening of that and some other ports to trade under necessary limitations.

These concessions occur simultaneously with our ratification of a treaty with Great Britain designed to effect the suppression of the African slave trade.

Never were the influences of time and distance upon political opinions and proceedings illustrated more strongly than in the contrast which these transactions present to the course pursued and the sentiments avowed by the British government as reported to us in your despatch.

The British government at London, on the 16th of April, reasoned and acted from the case as it stood here on the first of April. We are reviewing the proceedings and language of the British government in view of the case as it stands now on the 5th of May. We are sure, however, that Great Britain will not insist that the insurgents shall be regarded as a public belligerent after they shall have ceased to be able to maintain an organized war.

The President desires that, if it shall seem to you discreet, you recall the subject to Earl Russell's attention, after the events which have recently occurred here shall have transpired in Europe. It will be a sufficient justification for the seeming impatience that the interests of both nations, and even the interests of humanity, require that a war which so severely, and yet so unnecessarily and so hopelessly, scourges society, should not be protracted through any seeming indifference to the evil on the part of the maritime powers.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 156.]

LEGATION OF THE UNITED STATES,
London, May 8, 1862.

SIR: I have received from the department despatches numbered from 228 to 236, both inclusive, and a circular dated the 17th of March rescinding the new rules of last year respecting passports.

I feel under great obligation to you for the information furnished to me of the present condition of the war in your despatch No. 228, and for the map which accompanied it. I propose to read the substance of it to Lord Russell, for his information, should I find an opportunity at a conference which he has appointed for 3 o'clock to-morrow to open a different question—that of the Stadt dues.

I transmit a copy of a note received from his lordship, of the 6th instant, in reply to mine, on the case of the steamer Labuan. If I was at a loss to comprehend the reason of the representation volunteered to me on that subject, I am still more so to divine the cause for the turn now given to the correspondence.

I have felt it my duty to point out the nature of the position which he has taken in as subdued a tone as I can command. Feeling that I am engaged in the responsible duty of making up a solemn issue between the two countries in one of the most momentous struggles of modern times, I am anxious to choose the ground with great care, so that I may hold it with firmness throughout the possible embarrassments that may supervene. A copy of my reply to his lordship accompanies this despatch.

I am obliged to confess that I watch the course of events in this country with growing distrust. The rapid increase of the distress in Lancashire is developing a state of feeling towards the United States which seeks but an opportunity to find public expression. Representations are making to the commissioners of the poor law board, soliciting the interposition of government to grant relief, which place the ministry in an extremely difficult situation. Not possessed of strength in the House of Commons to carry through measures of their own, they feel themselves in danger of an overthrow in any alternative, whether they do or do not come forward. Should it so happen that their weakness threatens to draw down upon itself a large share of popular indignation, it would not at all surprise me if I were to witness a very sudden change of tone, and an eagerness to precipitate an issue with the United States on the blockade. It is in this light that I read these two late notes of Lord Russell.

I continue strong in the belief that the progress of the campaign will show more and more clearly the folly of attempting interference. At present the momentary slackening in our progress has revived the hopes of the friends of the insurgents, and they are straining every nerve to furnish aid against the impending crisis. I enter into no details, being well aware that they are supplied in abundance from other sources. Of course, we watch the arrival of every steamer with the greatest interest. The course of M. Mercier is observed here with much attention, and awakens many hopes. I infer that he could not have taken it without communication with you, as such a step without it could hardly be justified by any precedent of diplomatic proprieties that is to be found recorded in the books. There is a project afloat of a joint representation of the powers of Europe, which may assume some kind of shape should the struggle be prolonged.

I confess it is a trial of patience to witness the extraordinary manner in which the nations of this hemisphere undertake to constitute themselves the judges of our affairs. One would imagine that their experience of the effects of the same tendency in regard to France in 1792 would have cured them of all such fancies ever after. Firmly believing that these events are ordered to the ultimate development of great moral results, I am content to master the present anxieties and calmly to await the issue.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD.
Secretary of State, Washington, D. C.

Lord John Russell to Mr. Adams.

FOREIGN OFFICE, *May* 6, 1862.

SIR: I have had the honor to receive your letter of the 30th ultimo.

I am quite willing to leave the case of the Labuan to the zealous exertions of Lord Lyons. It is a plain case of justice, and the representations of her Majesty's government with regard to it ought to be successful.

With regard to the "systematic plan" which you say has been pursued by her Majesty's subjects "to violate the blockade by steady efforts," there are some reflections which I am surprised have not occurred to you.

The United States government, on the allegation of a rebellion pervading from nine to eleven States of the Union, have now for more than twelve months endeavored to maintain a blockade of three thousand miles of coast. This blockade, kept up irregularly, but when enforced, enforced severely, has seriously injured the trade and manufactures of the United Kingdom. Thousands of persons are now obliged to resort to the poor rate for subsistence, owing to this blockade. Yet her Majesty's government have never sought to take advantage of the obvious imperfections of this blockade, in order to declare it ineffective. They have, to the loss and detriment of the British nation, scrupulously observed the duties of Great Britain towards a friendly state. But when her Majesty's government are asked to go beyond this, and to overstep the existing powers given them by municipal and international law for the purpose of imposing arbitrary restrictions on the trade of her Majesty's subjects, it is impossible to listen to such suggestions. The ingenuity of persons engaged in commerce will always, in some degree, defeat attempts to starve or debar from commercial intercourse an extensive coast inhabited by a large and industrious population.

If, therefore, the government of the United States consider it for their interest to inflict this great injury on other nations, the utmost they can expect is that European powers shall respect those acts of the United States which are within the limits of the law. The United States government cannot expect that Great Britain should frame new statutes to aid the federal blockade, and to carry into effect the restrictions on commerce which the United States, for their own purposes, have thought fit to institute, and the application of which it is their duty to confine within the legitimate limits of international law.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Adams to Lord John Russell.

Legation of the United States,
London, May 8, 1862.

My Lord: I have to acknowledge the reception of your note of the 6th instant, in which you do me the honor to suggest some thoughts on the injurious effect of the American blockade.

In declaring that blockade the government of the United States are believed to have done nothing which has not been repeatedly done heretofore, and the right to do which at any time hereafter, whenever the necessity shall appear to call for it, is not distinctly affirmed by the government of Great Britain. Neither does the fact that this proceeding pressed with the greatest severity upon the interests of neutral nations appear formerly to have been regarded in any other light than as an incidental damage, which, however much regretted in itself, unavoidably follows from the gravity of the emergency which created it. For it can scarcely be supposed that so onerous a task as a veritable blockade will be undertaken by any nation for causes not deemed of paramount necessity, or will be persevered in one moment longer than those causes continue to operate. I am very sure that it is the desire of the government of the United States to accelerate the period when the blockade now in operation may be safely raised. To that end it is bending all its efforts. And in this it claims to be mindful not simply of the interests of its own citizens, but likewise of those of all friendly nations. Hence it is that it views with deep regret the strenuous efforts of evil-disposed persons in foreign countries, by undertakings carried on in defiance of all recognized law, to impair, so far as they can, the efficacy of its measures, and in a corresponding degree to protract the severity of the struggle. Hence it is, likewise, that it has been profoundly concerned at the inefficacy of the laws of Great Britain, in which a large proportion of the undertakings originate, to apply any adequate policy of prevention. For I doubt not your lordship will see at a glance the embarrassment in which a country is necessarily involved by complaints raised of the continued severity of a blockade by a friendly nation which, at the same time, confesses its inability to restrain its subjects from stimulating the resistance that necessitates a continuance of the very state of things of which they make complaint.

That a sense of the difficulties consequent upon the action of such persons prompted the enactment of the statute of his Majesty George the Third of the 3d July, 1819, is made plain by the language of its preamble. It is therein stated that it was passed because the laws then in force were not sufficiently effectual to prevent the evil complained of. It now appears, from the substance of the representations which I have heretofore had the honor to make to your lordship, that the provisions of that law are as little effectual in curing the evil as those of any of its predecessors. But I am pained to be obliged to gather from the concluding words of your lordship's note that the expression of an opinion that the United States, in the execution of a measure conceded to be correct, as well as justified by every precedent of international law as construed by the highest British authorities, cannot expect that Great Britain should frame new statutes to remedy the deficiency of its own laws to prevent what it acknowledges on the face of that statute to be evils created by its own refractory subjects. I must be permitted to say, in reply, that, in my belief, the government of the United States would scarcely be disposed to make a similar reply to her Majesty's government were the relative position of the two countries to be reversed.

Permit me, in conclusion, to assure your lordship that the grounds upon which the representations I have had the honor to make [were founded] have not been hastily considered. So far from it, the extent of the evil complained of has been under rather than overstated. I have now before me a list of eleven steamers and ten sailing vessels that have been equipped and despatched within thirty days, or are now preparing, freighted with supplies of all kinds for the insurgents from one port of Great Britain alone. These supplies, I have reason to believe, are to be conveyed to Nassau, which place is used as an entrepot for the convenience of vessels under British colors employed for the sole purpose of breaking the blockade. I have reasons for supposing that the business is reduced to a system, emanating from a central authority situated at London; and, further, that large sums of money have been contributed by British subjects to aid in carrying it on. If the United States have in any of their relations with her Majesty's government committed some act not within the legitimate limits of international law which justifies the declaration of a disposition not to provide against such obvious violations of the neutrality proclaimed at the outset of this deplorable struggle, I trust I may be so clearly presented to their consideration by your lordship as to supply the means either of explanation or of remedy.

Renewing to your lordship the assurances of my highest consideration, I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. Lord JOHN RUSSELL, *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 158.]

LEGATION OF THE UNITED STATES,
London, May 9, 1862.

SIR: I transmit herewith the copy of Lord Russell's reply to my application for the restoration of the Emily St. Pierre, received last evening. It does not vary much from what I expected. I propose to draw up a brief answer to close the correspondence.

I have this moment returned from my conference with his lordship. I read to him the greater part of your despatch No. 228. The conversation that followed was interesting, though brief. It was shortened by the circumstance that the hour previously fixed for the reception of the Japanese commissioners had arrived. As there is not time to prepare a report by this steamer, I shall be compelled to defer it until next week.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

Foreign Office, *May* 7, 1862.

Sir: In your letter of the 24th of April you call my attention to the case of the British vessel Emily St. Pierre, which, having been captured by a cruiser of the United States for an attempt to break the blockade of Charleston, was, on her voyage to Philadelphia for the purpose of being proceeded against in the admiralty court, retaken from the prize crew by the master, and some of her own crew left on board her, and brought into Liverpool; and you request that suitable directions may be given to restore the vessel at an early day to the authority from which she has been violently taken.

I have consulted the law advisers of the crown on this matter; and, in conformity with their opinion, I have now the honor to state to you that her Majesty's government are unable to comply with your request for the restoration of the Emily St. Pierre, inasmuch as they have no jurisdiction or legal power whatever to take or to acquire possession of her, or to interfere with her owners in relation to their property in her.

Acts of forcible resistance to the rights of belligerents, when lawfully exercised over neutral merchant ships on the high seas, such, for instance, as rescue from capture, however cognizable or punishable as offences against international law, in the prize courts of the captor administering such law, are not cognizable by the municipal law of England, and cannot by that law be punished either by confiscation of the ship, or by any other penalty; and her Majesty's government cannot raise, in an English court, the question of the validity of the capture of the Emily St. Pierre, or of the subsequent rescue and recapture of that vessel, for such recapture is not an offence against the municipal law of this country.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 248.]

Department of State,
Washington, May 9, 1862.

Sir: Your despatch of the 24th of April, No. 146, has been received. Your proceeding in asking from the British government the restoration of the prize ship Emily St. Pierre is approved, equally for its promptness and the grounds upon which it was adopted. The President does not allow himself to doubt that the claim will receive early and just consideration.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 249.]

Department of State,
Washington, May 12, 1862.

Sir: Your despatch of the 25th of April (No. 148) has been received.

The progress of the national arms continues so auspiciously as to excite the insurgents to desperation and to require of their abettors in Europe extreme activity and diligence to rescue a cause which, without foreign intervention, seems already lost. You may now assume that the Mississippi in its whole length is restored to the federal authority. Richmond is practically held in close siege by General McClellan. Norfolk, with all the coasts and tributaries of Hampton roads, is cleared of insurrectionary land forces and naval forces. Our navy, already large and effective and daily increasing, is now released from two very arduous and exhausting sieges in which it has been so long engaged, and it is scarcely to be doubted that, with the co-operation of the armies already in the field, every port and every fort on the sea-coast will be recovered within the time that the vessels bringing contributions and auxiliaries will require to complete their voyages from England.

I have expected constantly, since the arrival of the last mail, to be enabled to send out by the steamer which will carry this despatch a proclamation of the President's, modifying the blockade I still hope to be able to do so. But the President, with the Secretary of the Navy and the Secretary of War, has been absent from the capital for several days, and they have only just this hour returned from Hampton roads. If I fail to get the paper perfected to-day, I shall still hope to send intelligence of the issue of a proclamation by despatch over the wires to overtake the steamer at Cape Race.

If there be, as we do not doubt there is, a sincere desire on the part of the maritime powers of Europe to see an end of this painful strife, hardly less severe in its injuries to them than to us, it is to be expected that the partial opening of so many of the southern ports will be sufficient to put an end to distrust of our complete and speedy restoration of the American Union.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 250]

Department of State,
Washington, May 12, 1862.

Sir: I enclose a copy of a proclamation of the President, of this date, opening certain ports which have recently been blockaded. The treasury regulations to which it refers have not beeen received, but will immediately follow.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

C. F. Adams, &c., &c., &c.

[Same to Mr. Dayton.]

A PROCLAMATION.

Whereas, by my proclamation of the nineteenth of April, one thousand eight hundred and sixty-one, it was declared that the ports of certain States, including those of Beaufort, in the State of North Carolina, Port Royal, in the State of South Carolina, and New Orleans, in the State of Louisiana, were, for reasons therein set forth, intended to be placed under blockade; and whereas the said ports of Beaufort, Port Royal, and New Orleans have since been blockaded; but as the blockade of the same ports may now be safely relaxed with advantage to the interests of commerce:

Now, therefore, be it known that I, Abraham Lincoln, President of the United States, pursuant to the authority in me vested by the fifth section of the act of Congress approved on the 13th of July last, entitled "An act further to provide for the collection of duties on imports, and for other purposes," do hereby declare that the blockade of the said ports of Beaufort, Port Royal, and New Orleans shall so far cease and determine, from and after the first day of June next, that commercial intercourse with those ports, except as to persons and things and information contraband of war, may, from that time, be carried on, subject to the laws of the United States, and to the limitations and in pursuance of the regulations which are prescribed by the Secretary of the Treasury in his order of this date, which is appended to this proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this twelfth day of May, in the year of our Lord one thousand eight hundred and sixty-two, and of the independence of the United States the eighty-sixth.
[L. S.]

ABRAHAM LINCOLN.

By the President:
William H. Seward,
Secretary of State.

Mr. Adams to Mr. Seward.

[Extract.]

No. 159.]

Legation of the United States,
London, May 15, 1862.

* * * * *

This matter having been disposed of, I then remarked that I was still in the receipt of letters from my government urging me to continue to press her Majesty's minister for some action on the subject which I had heretofore labored so much to present to his attention. But as I had little confidence in the success of any repetition I might make of my former arguments, I hoped his lordship would permit me to read to him the last despatch which had reached me. I had not, indeed, been directed to lay it before him, nor to leave a copy of it. The time and manner of using it had been left wholly to my discretion. But as it seemed to me to have been carefully and elaborately drawn as a full exposition of the views of the government at this crisis, I was of opinion that it was no more than just to both parties that it should be communicated *in extenso.* His lordship said he should be glad to hear it, and then I read all of it but the single passage at the close of the first paragraph.

After I had done, his lordship remarked that he had no disposition to call in question any of the statements made in the despatch. It might be just as there alleged But there still remained much to be done. New Orleans, Savannah, and Charleston continued in the possession of the other party, and the resistance of the great armies left the result yet awaiting further development.

I replied to this by saying that from the outset I had entertained little doubt of what the end of this struggle would be, provided that we were left entirely to ourselves to work it out. In my mind that end was now rapidly approaching. I had become much more concerned in considering what the state of things was likely to be after it had been attained. It was with very great regret I was compelled to express my conviction of the rapid increase among the people of the United States of feelings of irritation and bitterness towards this country. I received the evidence of it from so many and such opposite sources that I could not question the fact. My own disposition had been and continued to be of the most friendly character. But I very much feared that if her Majesty's government did not hold forth some means which would enable its friends to maintain the existence of a reciprocal feeling, the seeds would be planted of a hostility that would bear bitter fruit for the whole of the next generation.

His lordship replied that it was much to be regretted, but the fact was that this hostile feeling had always prevailed in America. Down to the period of the Prince of Wales's visit whatever the English had done, it seemed to animate all classes alike to take it amiss. Even such a person as Mr. Everett, from whom better things might be expected, seemed to omit no opportunity of finding fault with what they did, and stimulating the popular prejudice at their expense. It seemed a hopeless task to attempt to correct this tendency.

I then begged leave to suggest to his lordship whether there was not another side to the picture. I thought I was in a situation to present it, for I had had peculiar opportunities for observing it, from the fact that members of my family had repeatedly been called to act on the scene. Immediately after the peace of 1783 my grandfather had been sent here as the first minister. He came with a disposition to establish the most friendly relations. He had not been favorably impressed with the policy of the French government, and was anxious to equalize the balance of influence in America. And so well was this known that the King, George III, at his audience, appeared to me to have stepped to the verge of the proprieties of his position in making allusion to it. Then was the first opportunity to conciliate America. And Mr. Pitt seemed to have conceived the idea. Had the commercial policy he recommended been adopted, the United States would have been more closely bound to this country after their independence than they ever had been whilst colonies. In lieu of this, the principles of Lord Sheffield's pamphlet were accepted, and it was decided to await the possibilities of an unfavorable issue to our experiment of government. The natural consequence was an alienation, which ended in the war of 1812. At the close of that war my father was sent here to do what he could to effect a re-establishment of amicable relations. His disposition was all that could be wished. It was met by indifference and repulsion. From that period I had every reason to know the impressions that had gone far to regulate his action as a public man down to the close of his life towards Great Britain. And now I had come here with the most anxious desire to preserve relations of amity, which seemed latterly to have been taking a more positive character than ever before. I had done everything in my power during my residence to that end. I was anxious, whenever I might return home, to have the means of making a favorable report to my countrymen. I supplicated his lordship, then, not to compel me to go back without the possession of the smallest evidence that could refute the inevitable arguments that would be drawn from the position that Great Britain had thus far chosen to assume during this struggle. * * * *

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 160.]

Legation of the United States,
London, May 15, 1862.

Sir: I have had the honor to receive from the department despatches numbered from 237 to 241, both inclusive; likewise a telegraphic despatch, dated the 1st instant, containing the welcome intelligence of the capture of New Orleans, which I immediately communicated by telegraph to Mr. Dayton. The intelligence was received here with such general incredulity that even my announcement of the official confirmation scarcely dispelled the doubts. The cause of this possibly may be that it dissipated many illusions indulged in of late on very small foundations. I now transmit the copy of my reply to Lord Russell's note, a copy of which is already on its way to you, with my despatch No. 158, of the 9th instant. Since that date I have received a note from his lordship, dated the 10th, in answer to mine addressed to him on the 8th, to which I felt it my duty to make a rejoinder on the 12th instant. Copies of these two notes likewise accompany this despatch.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Earl Russell.

Legation of the United States,
London, May 10, 1862.

My Lord: I have the honor to acknowledge the reception of your lordship's note of the 7th instant, touching the case of the British vessel Emily St. Pierre.

I do not understand from the terms of that note that her Majesty's law advisers entertain a doubt of the correctness of the law as explained in my application of the 24th of April for the restoration of that vessel. Indeed, it would be difficult to find any doctrine more precisely laid down by the highest judicial authority of Great Britain than that which applies to this particular case. I pray your lordship's attention to the language of the late Lord Stowell, famed all over the world for his exposition of international law. "If a neutral master attempts a rescue, he violates a duty which is imposed upon him by the law of nations to submit to come in for inquiry as to the property of the ship or cargo; and if he violates that obligation by a recurrence to force, the consequence will undoubtedly reach the property of his owner; and it would, I think, extend also to the confiscation of the whole cargo intrusted to his care, and thus fraudulently attempted to be withdrawn from the rights of war."

If this be admitted to be a correct version of the law of the case, as recognized by Great Britain, then little room appears to be left for doubt that the neutral master of the Emily St. Pierre has brought himself within the scope of the condemnation expressed in these words of Lord Stowell, for the facts, as substantially presented by me, do not seem to be disputed.

But I further understand that the grounds upon which your lordship declines to interfere on behalf of the United States do not in any way touch the merits of the case. They are, so far as I can perceive, purely technical. Your lordship remarks that her Majesty's government have no jurisdiction or legal power whatever to take or acquire possession of the vessel, or to interfere with her owners, in relation to their property in her. And, further, that "acts of forcible resistance to the rights of belligerents, when lawfully exercised over neutral merchant ships on the high seas, such, for instance, as rescue from capture, however cognizable or punishable as offences against international law in the prize courts of the captor administering such law, are not cognizable by the municipal law of England, and cannot, by that law, be punished either by confiscation of the ship or by any other penalty; and her Majesty's government cannot raise, in an English court, the question of the validity of the capture of the Emily St. Pierre, or of the subsequent rescue and recapture of that vessel, for such recapture is not an offence against the municipal law of this country."

I cannot restrain the expression of my profound regret to your lordship that by reason of the absence of a just and necessary power in her Majesty's government this wrongdoer should thus have the opportunity of escaping with impunity from suffering the proper penalty for his fraudulent attempts. I am the more deeply sensible of my disappointment from the fact that I had been led to hope for an opposite result from the language of her Majesty's proclamation issued on the 13th day of May last, and evidently intended to apply to precisely the class of cases to which this of the Emily St. Pierre appears to belong. The closing paragraph of that paper expressly warns all her Majesty's subjects, and all persons whatsoever entitled to her protection, that if any of them shall presume, "in contempt of that, her royal proclamation, and of her high displeasure, to do any acts in derogation of their duty, as subjects of a neutral sovereign, in the said contest, *or in violation or contravention of the law of nations in that behalf*, as, for example, * * * by breaking, or endeavoring to break, any blockade lawfully and actually established by or on behalf of either of the said contending parties, * * * all parties so offending will incur and be liable to the several penalties and penal consequences of the said statute, *or by the law of nations* in that behalf imposed or denounced."

If it be not implied by the language to which I have taken the liberty to call your lordship's attention that there is a jurisdiction existing in Great Britain capable of taking cognizance of cases arising under the law of nations, and beyond the range of the municipal law, then does it appear, at least to my judgment, that the proclamation has been most unfortunately worded, for it can scarcely be denied that the government of the United States, which it was certainly intended in part to protect, had a just right to infer from it the power as well as the will of her Majesty's government to shelter it against such wrongful and fraudulent acts of her ill-intentioned subjects as have been committed in the case of the ship Emily St. Pierre.

Praying your lordship's pardon for the trouble I have given you in this case, and trusting I may find justification for my very natural mistake, I beg to renew to your lordship the assurance of the highest consideration with which I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. EARL RUSSELL, *&c.*, *&c.*

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *May* 10, 1862.

SIR: In the letter I had the honor to receive from you yesterday you appear to have confounded two things totally distinct.

The foreign enlistment act is intended to prevent the subjects of the crown from going to war when the sovereign is not at war. Thus private persons are prohibited from fitting out a ship-of-war in our ports, or from enlisting in the service of a foreign state at war with another state, or in the service of insurgents against a foreign sovereign or state. In these cases the persons so acting would carry on war, and thus might engage the name of their sovereign and of their nation in belligerent operations. But owners and masters of merchant ships carrying warlike stores do nothing of the kind. If captured for breaking a blockade or carrying contraband of war to the enemy of the captor, they submit to capture, are tried, and condemned to lose their cargo. This is the penalty which the law of nations has affixed to such an offence, and in calling upon her Majesty's government to prohibit such adventurers you in effect call upon her Majesty's government to do that which it belongs to the cruisers and the courts of the United states to do for themselves.

There can be only one plea for asking Great Britain thus to interpose. That plea is, that the blockade is in reality ineffective, and that merchant ships can enter with impunity the blockaded ports. But this is a plea which I presume you will not urge. Her Majesty's government have considered the blockade as an effective blockade, and have submitted to all its inconveniences as such.

They can only hope that, if resistance should prove to be hopeless, the confederate States will not continue the struggle; that if, on the other hand, the restoration of the Union should appear to be impossible, the work of devastation now going on will cease.

Her Majesty's government can only desire the prosperity of the inhabitants of the United States, whatever may be the event of the present civil war.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, *May* 12, 1862.

MY LORD: I have the honor to acknowledge the reception of your note of the 10th instant. From the purport of it I am led to fear that I may have been unfortunate heretofore in my attempts to express my own meaning.

If I have appeared to your lordship to confound two things so very dissimilar as the penalties of the enlistment act and the liabilities which follow from the attempt to break a blockade, I can only say that the fault must be laid to my want of ability to use words properly to express my thoughts.

The position which I did mean to take was this: that the *intent* of the enlistment act, as explained by the words of its preamble, was to prevent the unauthorized action of subjects of Great Britain, disposed to embark in the contests of foreign nations, from involving the country in the risk of a war with these countries. This view of the law does not seem to be materially varied by your lordship; when speaking of the same thing you say that the law applies to cases where "private persons so acting would carry on, and thus might engage the name of their sovereign and of their nation in belligerent operations." It is further shown by that preamble that that act was an additional act of prevention, made necessary by experience of the inefficiency of former acts passed to effect the same object.

But it is now made plain that whatever may have been the skill with which this latest act was drawn, it does not completely fulfil its intent, because it is very certain that many British subjects are now engaged in undertakings of a hostile character to a foreign state which, though not technically within the strict letter of the enlistment act, are as much contrary to its spirit as if they levied war directly. Their measures embrace all of the operations preliminary to openly carrying on war—the supply of men, and ships, and arms, and money to one party in order that they may be the better enabled to overcome the other, which other is in this case a nation with which Great Britain is now under treaty obligations of the most solemn nature to maintain a lasting peace and friendship. The government of the United States having, in the course of its hostile operations, had occasion to experience the injurious effects of this virtual levying of war against itself from the ports of a friendly power, and seeing the obstacle in the way of the removal of them to be alleged to be the inefficiency of a statute intended to effect that object, does not regard it as asking anything unreasonable, or more than it would in like case be willing itself to grant, if it solicits some action to render effective the spirit as well of the law as of her Majesty's enunciation of the national will.

I perceive that your lordship appears to be of opinion that, in this proceeding, the government of the United States is asking more than is reasonable. It is, in your view, sufficient to declare that owners and masters of merchant ships, fitted out with intent to break a blockade or carry contraband of war to one of two parties engaged in war, are subject to capture, trial, and condemnation, if caught by the offended party. And hence, in this case, that the government of the United States, in calling upon her Majesty's government to prohibit such adventures, is in effect calling upon it to do that which it ought to do, and fails to be able to do for itself. The only valid plea, your lordship remarks, for asking interposition, is, that the blockade is in reality ineffective; and this, you very justly presume, I shall not be disposed to urge.

But I pray your lordship's pardon if I submit that you appear to have entirely overlooked another plea, which I am confident enough to imagine of no inconsiderable weight. That plea is that the kingdom of Great Britain endeavor in spirit as well as in letter to preserve the principle of neutrality, if not of friendship, towards a foreign power in amity with it to which it has pledged itself. The precise mode in which that shall be done, it does not presume to prescribe. That the toleration of such conduct in subjects of Great Britain, as I have had the pain heretofore to expose, is surely in violation of that neutrality, is justly to be inferred from the very language of her Majesty's proclamation. For it is therein declared that precisely such acts of theirs as I have been compelled to complain of are done "in derogation of their duty to her as a neutral sovereign, and incur her high displeasure." If such, then, be the true character of the proceedings to which I have heretofore called your lordship's attention, they surely merit something more of notice from her Majesty's ministers than an intimation that they will be suffered to pass unreproved unless the punishment shall be inflicted by the nation whom they are designed to injure. The object of the government of the United States has not been to relieve itself of the duty of vigilance to capture offenders against the law. It has rather been to avoid the necessity of applying additional stringent measures for their own security against British subjects found to be engaged in such illicit enterprises, made imperative by the conviction that no preventive co-operation whatever can be expected from her Majesty's government. It has rather been to avoid the risk of confounding the innocent with the guilty, because all happen to be involved in a general suspicion. And, lastly, it has rather been to remove, at as early a day as may be, consistently with its own safety, the restrictions on the trade with foreign countries, which these evil-doers are laboring with so much industry to force it to protract. Your lordship's language leaves me little hope of any co-operation of her Majesty's government to these ends. Nevertheless, I trust I may be permitted to indulge the belief that the time is not now far distant when the difficulties thus interposed in the way of its progress will have been so far removed by its own unassisted action as to relieve both countries from the painful necessity of further continuing the discussion.

Renewing to your lordship the assurances of my highest consideration, I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. EARL RUSSELL, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 253.]

DEPARTMENT OF STATE,
Washington, May 19, 1862.

SIR: Your despatch of May 2 (No. 150) has been received. The principal military event of the past week has been the recovery of the important port and town of Pensacola.

Of our seaports there yet remain in the occupation of the insurgents only Wilmington, in North Carolina, Charleston, in South Carolina, Mobile, in Alabama, Galveston, in Texas—all of which are, nevertheless, very effectually blockaded.

Preparations are made for their immediate recovery. Thus we expect that, within the next four weeks, the authority of the Union will be entirely restored along the whole Atlantic and Gulf coasts of the country. Trade resuming its legitimate character will begin anew on the first of June at the several ports of Beaufort, Port Royal, and New Orleans, and we shall not be slow in extending the same benefits to other ports. The temptations to contraband trade are rapidly passing away, and it is to be hoped that that great and disturbing annoyance will speedily cease to irritate at home and abroad.

The conflict henceforth will be between land forces in the interior of the country, and perhaps the battles impending at Richmond and Corinth may close the unnatural war. It would be idle to speculate of the probabilities of the results of those combats. They are imminent. I will say only that our armies are as strong, vigorous, and enthusiastic, as they are well appointed. Their supplies, also, are adequate, and are not in any case likely to fail. Every day exhausts the insurgents, and deprives them of needful resources and facilities for military operations.

I send for your information a copy of a circular which has been addressed by this department to the consuls of the United States upon the subject of licenses for trade at the several ports where the blockade is to be relaxed from and after the first of June next by effect of the President's proclamation.

I observe that speculations concerning foreign intervention were again rising in Europe at the date of our last advices thence, and certain remarks made by one of the ministry at Manchester have been thought here indicative of a disposition of that kind growing up in Great Britain. It is regretted that such incidents should occur just at the moment when this country is so manifestly about to return to a condition of repose and peace. Nevertheless they may exert a salutary influence, by inducing Congress to put the land and naval forces of the country upon a footing which will not permit it to be agitated again by intrigues to introduce foreign enemies to settle domestic strifes.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 254.]

DEPARTMENT OF STATE,
Washington, May 20, 1862.

SIR: With reference to the case of the Labuan, which is the subject of your despatch, No. 151, of the 2d instant, I have to remark that when it was first presented to the department by Lord Lyons my impression was that the capture was illegal. My opinion, however, was that there was probable cause enough for the capture to warrant a judicial investigation of the case, at least for the purpose of assessing the damages which might be due to the claimants. This opinion was soon after confirmed by a letter from the United States consul at Matamoras to the department, which represented that at the time of the capture the Matamoras custom-house was at Brownsville, and that the cotton which was on board the Labuan at the time of the capture proceeded from the latter place in a steamer belonging there.

The attorney of the United States at New York was instructed to endeavor to have the case disposed of as soon as might be practicable, and the department is in daily expectation of receiving from him the result of the proceedings.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 255.]

DEPARTMENT OF STATE,
Washington, May 22, 1862.

SIR: Referring to your despatch No. 146, of the 24th ultimo, and to my reply of the 9th instant, numbered 248, in relation to the recapture of the prize ship Emily St. Pierre, I invite your attention to the enclosed copy of a communication on the subject from the Secretary of the Navy.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Welles to Mr. Seward.

NAVY DEPARTMENT, *May* 20, 1862.

SIR: I have the honor to invite your attention to the accompanying extract from a despatch, dated the 14th instant, received from Flag-Officer Samuel F. DuPont, commanding South Atlantic blockading squadron, in reference to the recapture of the Emily St. Pierre.

I am, respectfully, your obedient servant,

GIDEON WELLES.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Flag-Officer DuPont to Mr. Welles.

[Extract]

FLAG-SHIP WABASH,
Port Royal Harbor, S. C., May 14, 1862.

SIR: I have read in the last papers the account of the recapture of the ship Emily St. Pierre, taken off Charleston, effected by clever artifice and enforced by gagging and putting in irons the prize officers and crew.

I cannot refrain from expressing the hope that the government purposes to insist upon the return of the Emily St. Pierre to the United States courts for adjudication, inasmuch as the recapture by the crew of a neutral vessel is, as I believe, contrary to law.

Very respectfully, your obedient servant,

S. F. DUPONT,
Flag-Officer commanding South Atlantic Blockading Squadron.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington.

Mr. Adams to Mr. Seward.

No. 164.]

LEGATION OF THE UNITED STATES,
London, May 22, 1862.

SIR: I have to acknowledge the reception of despatches from the department, numbered from 243 to 246, both inclusive, and also of two printed circulars dated, respectively, on the 3d and 5th of May, consequent upon the recovery of New Orleans.

I am not aware of any matter contained in these which calls for particular notice, unless it be the injunction upon me to renew my appeals to the government of Great Britain for the revocation of the recognition of belligerent rights, its original false step.

I had little expectation of success, but I felt it my duty at once to execute the orders. So, after the forms in connexion with the slave trade treaty on Tuesday had been completed, I asked the favor of a few minutes' further conversation on this subject. I alluded to the fact of your reception of my report of our last conference, and to your comments on it which had just reached me. I told him that you thought the course of events, and the decided turn the fortunes of war had taken since the date of that conference, justified you in presuming that some alteration in the views of the government must have ensued. I dwelt somewhat upon the unfavorable impression that act had made on the people of the United States. It was the true root of the bitterness towards Great Britain that was felt there. All the later acts of assistance given here by private persons to the rebels, the knowledge of which tended to keep up the irritation, were viewed only as natural emanations from that fatal source. Every consular report that went, and there were a good many, giving details of ships and supplies and money transmitted to keep up the war, served merely to remind us of the original cause of offence. I did hope then that he would consider, before it should be too late to be useful, the expediency of some action that might tend to soften the asperity thus engendered. I believed that in your urgency you were actuated by a sincere desire to maintain kindly relations between the two countries, and to that end you labored to procure the removal of this unlucky obstruction. I certainly acted in that spirit myself.

His lordship replied by saying that he did not see his way to any change of policy at present. We seemed to be going on so fast ourselves that the question might settle itself before a great while.

I said that I should be sorry to have that result happen before any action had been taken here; for, after it, we should scarcely attach value to what seemed a mere form.

His lordship remarked that the insurrection had certainly been a very formidable one. It embraced a great territory and a numerous population. The very magnitude of the means used to suppress it proved its nature. Under these circumstances the government had sought to remain perfectly neutral. It would lean to neither side. The wishes of the federal authorities had been that it should aid them, which would have been a departure from that line of policy.

To this I replied, that whatever might be the intent of that policy, the practical effect of it had been materially to uphold the rebels. The declaration of it at so early a moment, before the government had had any time to organize its counteracting forces, was a prejudgment of the whole question in their favor. The people of the United States felt as if the putting the two sides on an equality was in the nature of a standing insult to them. And the manifest eagerness of influential parties in Great Britain to expedite all the means necessary to induce the misguided people to persevere in their undertaking was like the continual application of a nettle to flesh already raw.

His lordship then fell back upon the same argument to which he has resorted in his note to me of the 17th instant, in answer to my previous remonstances against these movements, a copy of which goes out with this despatch. He said that large supplies of similar materials had been obtained here on the part of the United States, which had been freely transported and effectively used against the insurgents

I answered by admitting that at one time a quantity of arms and military stores had been purchased here as a purely commercial transaction for the use of the federal army; but that I had early objected to this practice, for the reason that it prevented me from pressing my remonstrances against a very different class of operations carried on by friends and sympathizers with the rebels in this island, and it had been discontinued. We had, indeed, purchased largely in Austria, but that government had never given any countenance to the insurgents.

His lordship observed that that government had no commercial interests pressing upon it for protection.

Here the conversation ceased. His lordship said that I had fully acquitted myself of my duty, and I took my leave.

There was another topic touched upon prior to the commencement of this one, to which I shall advert in another despatch.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

Foreign Office, *May* 17, 1862.

Sir: I do not wish to prolong this correspondence, and shall only make one remark in answer to your last letter.

If the British government, by virtue of the prerogative of the crown or by authority of Parliament, had prohibited and could have prevented the conveyance in British merchant ships of arms and ammunition to the Confederate States, and had allowed the transport of such contraband of war to New York and to other federal ports, her Majesty's government would have departed from the neutral position they have assumed and maintained.

If, on the other hand, her Majesty's government had prohibited and could have prevented the transport of arms and ammunition to both the contending parties, they would have deprived the United States of a great part of the means by which they have carried on the war. The arms and ammunition received from Great Britain, as well as from other neutral countries, have enabled the United States to fit out the formidable armies now engaged in carrying on the war against the southern States, while by means of the blockade established by the federal government the southern States have been deprived of similar advantages.

The impartial observance of neutral obligations by her Majesty's government has thus been exceedingly advantageous to the cause of the more powerful of the two contending parties.

I have the honor to be, sir, your most obedient, humble servant,

RUSSELL.

Charles Francis Adams.

Mr. Adams to Mr. Seward.

No. 165.] LEGATION OF THE UNITED STATES,
London, May 23, 1862.

SIR: In the conference with Lord Russell on the 20th, to which I have already referred in my yesterday's despatches, one other matter was touched upon which seemed to me deserving of brief notice. That is the present state of the Mexican question. His lordship opened the matter by mentioning the fact, now well known, of the disruption of the joint agreement of the three powers, and the withdrawal of the forces of England and Spain. He seemed to speak of it rather in the way of indirectly reminding me of the conversation at Abergeldie Castle in September last, and of the fidelity with which this government had adhered to the assurances then given of non-intervention. He then referred with evident gratification to the course taken by General Prim, and read me extracts from despatches received from Madrid announcing the intention of the Spanish government to ratify it. He confessed to an early-formed and long-cherished feeling of kindness towards it, and seemed to take pride in this action of theirs as a justification of it.

I joined with his lordship in the expression of satisfaction at the result, and remarked that, so far as Great Britain was concerned, it had not caused in me any surprise. But I could scarcely give the same credit to Spain, for it seemed to me that, at the outset, her intentions contemplated intervention and military conquest. I might, indeed, be so uncharitable as to suspect that the development of military and naval power in the United States which had been manifested of late might have had something to do in effecting a change.

His lordship, on the contrary, reaffirmed his confidence in the good faith of Spain. He did not believe it had ever had a desire to interfere, and, as if foreseeing my disposition to cite the precipitate despatch of troops in advance of the other parties, he met the objection at once by attributing it to a desire to supply for the army some opportunity of gaining distinction. The government had been for some time ambitious of reinstating the military reputation of the country, and to that end they were trying to furnish occasions for awarding praises and decorations to the officers and men for bravery and skill.

I made no allusion to sundry givings out of the Spanish presses a few months since of the propriety of attempting to recover the ancient dominions of the crown in South America, but joyfully accepted the result precisely as his lordship chose to present it. Neither did I venture to allude to the condition in which the matter has been left by the withdrawal of the two powers.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 258.]
DEPARTMENT OF STATE,
Washington, May 26, 1862.

SIR: I learn from the public journals, although no official notice has been received, that in the case of the Labuan the admiralty court in New York has decreed restitution upon the merits of the case. Information of this fact has been given to Lord Lyons.

The defeat of General Banks at Winchester yesterday, and his withdrawal across the Potomac, are just now the prominent incidents of the war. A careful consideration of the affair results in the satisfactory conclusion that the movement of the enemy was one of merely energetic strategy. We suffer by it, however, only a temporary and local inconvenience, not at all likely to work any serious or extensive injury to the national cause. Abundant provision has been made for repairing the losses sustained, and recovering the little ground that has been given up.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

[Same to William L. Dayton, Esq., &c., Paris.]

Mr. Seward to Mr. Adams.

No. 260.]
DEPARTMENT OF STATE,
Washington, May 28, 1862.

SIR: Your despatch of May 8 (No. 156) has been received.

There is a statement in the public journals that thirty vessels which had left British ports with a common design to run our blockade have gathered at Nassau, and that they are now remaining there, awaiting the relaxation of the blockade at some of the southern ports, which the President has permitted to take place on the 1st of June, preferring to avail themselves of that lawful privilege rather than persevere in their prohibited operations. I think, therefore, that we may congratulate ourselves upon having advanced to a new stage in our intercourse with maritime powers affecting the present troubles in the United States—a stage at which motives of sympathy in foreign countries with the insurgents, derived from the pressure of the blockade, will disappear.

This stage is also marked by another improvement of the case, namely, the withdrawal from the ocean of the pirates who have occasionally sought shelter and protection in friendly ports while committing depredations on American commerce.

Under the President's instructions I desire to improve the position thus attained to confer, if our representatives abroad shall think it discreet, with the friendly nations upon the prospects of the war and their future course in regard to it.

By way of introduction, I beg to recall to your recollection the facts that, at the earliest proper moment, I set forth most distinctly the opinions of this government that the mutual interests, present and permanent, of all the maritime nations, including this country, require the preservation of harmonious relations between them, and that the same interests demand that so far as possible, peace shall prevail throughout the world, and especially in the United States and upon the American continent.

In explanation of these views, I set forth the opinion that the industrial systems of western Europe and the United States, including their agriculture, manufactures, and commerce, are, in some respects, to be regarded less as distinct national systems than as one general combination of agricultural, manufacturing, and commercial agencies, in which a jar in one country necessarily produces disturbance in all the others; so that a serious disorganization of the machinery employed in production here cannot fail to result in derangement, probably in disaster, everywhere abroad.

There are now some painful evidences that these speculations were not unsound. There is distress among the peasantry of Ireland, in the manufacturing towns of Belgium, and the wine presses and silk looms in some parts of France seem to be coming to a dead stand. All the sufferers, I will not stop to inquire how justly, trace their misfortunes to the civil war of the United States. It is manifest that what the European nations want is an end of that war as speedy, and leaving the industrial system of this country as little disorganized, as possible. It would seem impossible for any considerate person to doubt that this is the very consummation which the government of the United States must want, even more than it can be desired by the European states. This government has expressed that want earnestly, decidedly, sometimes, perhaps, even impatiently. Nevertheless, the war has continued a whole year, against the wishes of Europe as well as of America. A new campaign is even beginning. In order to determine whether it is likely to reach the desired end, it will not be unprofitable to consider the causes of its prolongation to the present period. This government, at the beginning, assumed, and it has constantly insisted, that the Union could, must, and should be preserved. On the other hand, the European nations, when they saw the storm burst upon the country, either doubted, or actually disbelieved, the possibility of that great salvation. Europe had but a subordinate and indirect interest in the great problem, and it supposed that if the United States could only be convinced that the Union could not, in the end, be preserved, they would at once forego the contest and consent to a national dissolution, which it was erroneously thought would be followed by peace, while we knew that it would only be the beginning of endless war. Thus European opinion has practically favored the insurgents and encouraged them with ephemeral sympathies and unreal expectations of foreign intervention, and has thus protracted the war to the present time.

Certainly this government and the American people are even more confident of the preservation of the Union now than they were a year ago, and are, therefore, even less likely now than they were then to accept peace with the inconceivable pains and perils of dissolution. Can it be presumptuous, then, for us to ask European statesmen to review, in the light of the events of the war, the opinion which they formed at so early a stage of it, that the opinion itself might, perhaps, properly be deemed a prejudice?

Of course, in such a review, the observer would not overlook the contrast between the position which the federal government held a year ago and its present situation. Then it had been practically expelled, with all its authorities, civil, military, and naval, from every State south of the Potomac, Ohio, and Missouri rivers, while it was held in close siege in this capital, cut off from communication with even the States which had remained loyal. Now; it has virtually retaken all the positions it so early lost on the seaboard; it possesses the Mississippi and all the other great natural highways, and has forced the insurgents to battle in the most inaccessible parts of the insurrectionary district. The forces and the resources of the government are unexhausted and increasing. Those of the insurgents are diminished and becoming nearly exhausted.

No one, either here or in Europe, now contests these simple facts. The only argument opposed to them is, that the insurgents have determined not to acknowledge the authority of the Union. The evidence of this is a certain resolute and defiant tone maintained by their organs.

Certainly so long as the insurgents have any hope of ultimate success, they could not be expected to discourse otherwise than in just such a tone, nor will they fail to cherish such a hope so long as they find a willingness to meet it with sympathy in Europe. The very last advices which came from that quarter, previous to the arrival there of the news of the fall of New Orleans and Norfolk, were full of speculations about some newly-conceived form of intervention.

But it must be remembered that the insurgents are men, and that they may reasonably be expected to speak and to act like other belligerent factions under similar conditions. So also being men, and subject to the laws which determine the economy of society, they must in all cases conform themselves, however unwillingly, to the circumstances by which they are surrounded. They cannot, more than other masses of men, determine for themselves, under one state of circumstances, what they will do under a different one. A writer upon war advises brave men never to nail their colors to the staff, remarking that if they shall be able, and find it desirable, they can maintain it there without nailing, while it will be more convenient to lower it if they shall find themselves unable or no longer desirous to keep it flying. But, speaking practically, what has been the result, thus far, in the present case? Has disloyalty been found an indomitable sentiment in this war? It pervaded even this capital and this District at the beginning of the strife. It no longer exists here. It divided Maryland, and provoked conflict there. The Union is now as strong in that State as in any one of the always loyal States. It committed Missouri to the pretended new confederacy. Missouri is now active and earnest among the loyal States. It placed Kentucky in an attitude of neutrality. But Kentucky is to-day firm, resolute, and even self-devoted to the Union. In other regions where disloyalty was more general, such as Eastern Virginia, Tennessee, and Louisiana, and North Carolina, acquiescence under the federal authorities has promptly followed their appearance there, and the preliminary steps are taken for the restoration of the laws of the Union. It is a simple fact that loyalty reappears everywhere just so fast as the successes of the government are deemed sufficient to afford a guarantee for reliance upon its protection. The disunionists, even in their strongest holds, are not a people, but only a faction, surpassing the loyal in numbers, and silencing them by terrors and severities in many places, but nevertheless too few and feeble to prevent the return of any district or any State to the Union in the presence and under the protection of the federal authorities.

The President asks foreign nations to consider that we are only at the end of one year now, and yet the whole effective mass of the insurrectionary region has been brought into the field by conscription. The credit of the revolution is dead before the first dollar has been raised by taxation to support it, and the territory which must bear taxation is at once reduced to the narrowest limits, and is exhausted of its wealth and supplies.

The power of a losing faction, under any circumstances, must continually grow less; but that of the disunionists is abating under the operation of a cause peculiar to themselves, which it is now my duty to bring forward—I mean the practice of African slavery.

I am aware that in regard to this point I am opening a subject which was early interdicted in this correspondence. The reason for the interdiction, and the reason for a departure from it, are, however, equally obvious. It was properly left out of view, so long as it might be reasonably hoped that by the practice of magnanimity this government might cover that weakness of the insurgents without encouraging them to persevere in their treasonable conspiracy against the Union. They have protracted the war a year, notwithstanding this forbearance of the government; and yet they persist in invoking foreign arms to end a domestic strife, while they have forced slavery into such prominence that it cannot be overlooked.

The region where the insurrection still remains flagrant embraces all or parts of several States, with a white population of four and a half million, and a negro population of three and a half million, chiefly slaves. It is thus seen to be a war between two parties of the white race, not only in the presence but in the very midst of the enslaved negro race. It is notorious, we could not conceal the fact if we would, that the dispute between them arose out of the questions in which the negro race have a deep and lasting interest, and that their sympathies, wishes, and interests, naturally, necessarily, inevitably, fall on the side of the Union. Such a civil war between two parties of the white race in such a place, and under such circumstances, could not be expected to continue long before the negro race would begin to manifest some sensibility and some excitement. We have arrived at that stage already. Everywhere the American general receives his most useful and reliable information from the negro, who hails his coming as a harbinger of freedom. Wherever the national army advances into the insurrectionary region, African bondsmen, escaping from their insurrectionary masters, come out to meet it and to offer their service and labor in whatever capacity they may be desired. So many of these bondsmen have, even without the invitation, and often against the opposition of the federal military and naval authorities, made their way from bondage among the insurgents to freedom among the loyalists, that the government finds itself occupied with the consideration of measures to provide them with domicils at home or abroad. Not less than a hundred such escape every day, and as the army advances the number increases. If the war should continue indefinitely, every slave will become, not only a freeman, but an absentee. If the insurgents should resist their escape, how could they hope to prevent the civil war they have inaugurated from degenerating into a servile war? True, a servile population, especially one so long enslaved as the Africans in the insurrectionary States, require time and trial before they can organize a servile war; but if the war continues indefinitely, a servile war is only a question of time. The problem, then, is whether the strife shall be left to go on to that point. The government, animated by a just regard for the general welfare, including that of the insurrectionary States, adopts a policy designed at once to save the Union and rescue society from that fearful catastrophe, while it consults the ultimate peaceful relief of the nation from slavery. It cannot be necessary to prove to any enlightened statesman that the labor of the African in the insurrectionary region is at present indispensable, as a resource of the insurgents, for continuing the war, nor is it now necessary to show that this same labor is the basis of the whole industrial system existing in that region. The war is thus seen to be producing already a disorganization of the industrial system of the insurrectionary States, and tending to a subversion of even their social system. Let it next be considered that the European systems of industry are largely based upon the African slave labor of the insurrectionary States employed in the production of cotton, tobacco, and rice, and on the free labor of the other States employed in producing cereals, out of which combined productions arises the demand for European productions, materials, and fabrics. The disorganization of industry, which is already revealing itself in the insurrectionary States, cannot but impair their ability to prosecute the war, and at the same time result indirectly in greater distress in Europe.

On the other hand, this disorganization operates far less injuriously at present to the federal government and to the loyal States. Every African laborer who escapes from his service is not only lost to the support of the insurrection, but he brings an accession to the productive labor of the loyal States, and to that extent increases their ability to continue the contest in which they are reluctantly engaged. The failure of foreign importations, as heretofore, in return for the exportation of southern staples, stimulates the manufacturing industry of the loyal States. Immigration is accelerated by an activity in these States, resulting from extended manufacture and prosecution of the war. Thus has the phenomenon appeared, disappointing so many prophecies in Europe, that the war impoverishes and exhausts only the insurrection, and not the Union. I shall not contend that these effects would be perpetual. I know there is a reckoning for every nation that has the misfortune to be involved in war, and I do not expect for the United States any exemption from that inexorable law. But it is enough for my present purpose that the penalties are neither more severe nor more imminent than the loyal States can endure while bringing this unhappy contest to its desired conclusion. Let us now suppose that any one or more European states should think it right or expedient to intervene by force to oblige the United States to accept a compromise of their sovereignty. What other effect could it produce than to render inevitable, and even hurry on, that servile war, so completely destructive of all European interests in this country, which this government so studiously strives to avoid? I know that the danger of any foreign nation attempting such a policy, if it has ever existed, has passed, as I am happy in knowing that no foreign government has ever threatened such intervention, while several magnanimous governments have repudiated all unfriendly designs. I have put forward that hypothesis only by way of preface to a question not less significant, namely, what must be the effect of such a policy abroad as will encourage the insurgents with hopes of an intervention which is never to occur? Is not that effect visible in the obstinacy of the insurgents in their destruction of the cotton and tobacco already cultivated and liable to be brought into commerce by the return of peace, and in their studied neglect of the planting the seed of their staples, and turning so much of the African labor as they are able to save into the production of supplies of provisions and forage, to enable them to continue the war? The effect will be further developed as time goes on in opening a way for that servile war which, if it shall be permitted to come, will produce infinite suffering throughout the world, and can only at last result in an entirely new system of trade and commerce between the United States and all foreign nations.

I need not say that these views are not grounded on any proceedings or expressions of the British government, and are to be submitted to them, only as they will be to other States, from a strong desire on the part of the President that the true condition of the present strife may be everywhere fully understood.

I am, sir, your obedient servant,

WILLIAM. H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 261.] DEPARTMENT OF STATE,
Washington, May 29, 1862.

SIR: Your despatch of May 9, No. 158, has been received. It communicates the decision of her Britannic Majesty's government, declining to restore to us the Emily St. Pierre, which, after having been captured in the act of violating the blockade, and put into the care of a prize crew, was reconquered from them by the officers and crew of the vessel and conducted into a British port, and, as we now learn, was repossessed by her owners.

The despatch is accompanied by a note from Earl Russell explaining the grounds upon which the denial is placed.

I defer an examination of these reasons until I shall have received a copy of the reply to Earl Russell, which you expected to make by way of closing the correspondence upon the subject.

I think it proper, however, to observe, at present, that the reasons seem to be limited to a want of power vested in the government to restore, and do not bear at all upon the justice or the legality of the demand. Under such circumstances this government has in more than one instance admitted the claim, and appealed to legislative authority for the power to satisfy it, and it has been promptly conferred and exercised.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No 263.] DEPARTMENT OF STATE,
Washington, May 31, 1862.

SIR: Since the instruction to you (No. 248) of the 9th instant was written, it has occurred to me that an attempt might have been made to obtain the restitution of the Emily St. Pierre by libelling her in the British admiralty court. Application has accordingly been made to the Secretary of the Navy for the name of the capturing vessel and of her commander. A copy of his reply is enclosed. When this reaches you it may be too late for the judicial proceedings referred to, as the cargo of the vessel will probably have been discharged, and the vessel herself may not be within reach of process from the court. If, however, circumstances should, in your judgment, warrant it, you may at least take the advice of counsel upon the subject and charge the expense in your accounts.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

[Extracts.]

No. 264.] DEPARTMENT OF STATE,
Washington, June 2, 1862.

SIR: The European mail is laid before me only this morning. My despatches for Europe must go to-morrow morning. I will defer replies to complaints abroad until the departure of another steamer.

My despatches of last week gave information of the surprise and capture of Colonel Kenley's small force at Front Royal, and of an attack by Jackson with a superior force upon General Banks, and his well-conducted retreat from Winchester across the Potomac, at Williamsport. I mentioned that all due preparations had been made to retrieve these misfortunes, and that I thought they would be followed by no serious results. The week which began so inauspiciously was filled with events indicative of a general and speedy triumph of the Union armies.

First. Recruiting, except under heavy restrictions, had been suspended for some months by order of the government. The reverses alluded to favored a removal of those restrictions, and an order for renewal of enlistments, with a view to re-enforce our army in Virginia and supply the waste which had occurred in all the armies. The country responded at once, with even greater enthusiasm than a year ago. There is a third uprising of the people in behalf of the Union, inspired by confidence in the administration and in the land and naval forces.

General Banks's army, which was reduced to six thousand men, and so unfortunately put *hors du combat*, swelled in the course of the week to twenty thousand men, and it is now, in its turn, pursuing the enemy who had driven it out of the valley of Virginia. Large forces were also sent into the valley from the east, the south, and the west, to meet the retiring insurgents, and, as we trust, to bring the war in that quarter to a prompt conclusion.

While these transactions of minor importance were engaging the most careful consideration of the government, the attention of the nation, and of the world, so far as it occupies itself with our affairs, was all the time fixed upon two points, Corinth and Richmond, where battles seemed imminent, which, resulting in our favor, must be decisive of the painful controversy. The insurgents, demoralized and broken, on the 28th day of last month, evacuated the former position with all its advantages and its prestige, and thus the war in the Mississippi valley may be deemed virtually ended.

During the early part of the week General McClellan fought battles and won advantages at Richmond of great moment. On Saturday the insurgents, availing themselves of a severe storm which, flooding the valley of the Chickahominy, seemed likely to divide our forces, attacked our left on the south side of that river with a superior force and caused it to break, with some loss of ordnance and stores. Re-enforcements, however, were soon brought forward, and the position lost was regained. The two armies bivouacked on the field at night. The battle was renewed the next morning with the result of a repulse of the insurgents at every point. The army of General McClellan will be rapidly strengthened, although it is already deemed adequate to the capture of Richmond.

Misunderstandings have occurred between General Butler and the consuls of several maritime states at New Orleans. This was, perhaps, unavoidable under the circumstances. You will receive herewith a paper which will show you the course that has been taken by the President to remove any just ground of complaint that may exist, and prevent any further difficulties of that kind.

Finally, I have the pleasure to inform you that a wholesome moral sentiment is already rapidly revealing itself in the insurrectionary region. It shows itself somewhat slowly indeed, but nevertheless distinctly at Norfolk. Regiments for the federal army are forming in North Carolina.

* * * * * * *

In Arkansas, Alabama, and Louisiana there are unmistakable signs of returning loyalty. No American now indulges any doubt that the integrity of the Union will be triumphantly maintained.

We have good authority for questioning the fact of any such general destruction of cotton by the insurgents as their organs have asserted. The blockade was relaxed at the ports of Beaufort, Port Royal, and New Orleans yesterday, in pursuance of the proclamation of the President, heretofore issued.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

[Same to Mr. Dayton, No. 161.]

Mr. Seward to Mr. Adams.

No. 266.]

DEPARTMENT OF STATE,
Washington, June 2, 1862.

SIR: The arrival of your despatch, No. 159, has been already acknowledged.

The Japanese ambassadors seem to have interrupted a very interesting conversation between yourself and Earl Russell on the subject of the relations existing between this country and Great Britain. I cannot but think that if it had been continued it would have been closed with beneficial results. I hope that Japan may have gained an equivalent for our loss resulting from the interruption.

Some materials for enforcing the views you so justly presented, with so much energy and so much candor, in that interview, have already been sent forward to you. There has just now fallen into our hands a very extraordinary document, being a report made by Caleb Huse, who calls himself a captain of artillery, and who is an agent of the insurgents in Europe, to the chief of the artillery of the war department of the insurgents. It recites purchases of arms, munitions of war, and military supplies, which have been shipped by him in England and elsewhere in the mad attempt to overthrow the federal Union. It reveals enough to show that the complaints you have made to Earl Russell fell infinitely short of the real abuses of neutrality which have been committed in Great Britain in the very face of her Majesty's government. The revolution is now approaching its end, and it is just at this moment that the proof becomes irresistible that, if it had been successful, its success would have been due to the aid and assistance it derived from the people of Great Britain, notwithstanding the appeals and remonstrances of this government. The President of the United States has persistently expressed his anxiety throughout the whole distempered period which we have passed, that it might end in the preservation of friendly and cordial relations with all the states with which we have heretofore lived in amity, and especially with Great Britain. Whoever shall read the document I now send you will not wonder that the President thinks it desirable that the government of Great Britain should consider, before the war closes, what are likely to be the sentiments of the two nations in regard to each other after that event shall have occurred.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 271.]

DEPARTMENT OF STATE,
Washington, June 7, 1862.

SIR: Your despatch of May 23, No. 165, has been received. You will express confidentially to Earl Russell the satisfaction with which the President has received the explanations made through you by Earl Russell on the subject of the changed condition of affairs in Mexico.

You have expressed to his lordship, as well as to myself, some doubts of the candor and loyalty of the Spanish government in the declarations of approval of the Commanding General Prim which that government has made to Earl Russell. It gives me pleasure to inform you that these declarations harmonize entirely with the tone of all the communications on the same subject which have been received at this department from Mr. Calderon Collantes.

The new complication of affairs in Mexico is a cause of serious concern to the government of the United States. Mr. Corwin has negotiated a treaty which stipulates a loan of eleven million of dollars to the Mexican government. But the condition of affairs in our own country, to say nothing of the state of things in Mexico, is such as to make it extremely doubtful whether that measure would receive at present the approval of the Senate of the United States. The President therefore holds the subject in reserve.

The contents of this despatch may be made known in confidence to Earl Russell.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 272.]

DEPARTMENT OF STATE,
Washington, June 9, 1862.

SIR: Your despatch of May 22, No. 164, has been submitted to the President. He regrets that her Majesty's government does not deem it important to reconsider its attitude towards the United States.

You will receive herewith information of a naval conflict at Memphis, resulting in the surrender of the city and in the restoration of the national commerce throughout the whole navigable courses of the Mississippi and its tributaries.

Of all the important ports and towns, only Mobile, Savannah, Charleston, and Richmond remain in the hands of the insurgents. The investment of the three former is going on successfully. Floods have swollen the Chickahominy, which, in ordinary seasons, is only a few yards wide, into a river two miles in breadth. This inundation now for a few days delays the operations against Richmond, but they will be prosecuted with vigor as soon as the condition of the field shall permit.

The condition of our relations with maritime powers is becoming a subject of popular debate, and is likely to be agitated in the House of Representatives. It is impossible here to understand the policy by which the British government is persuaded that the sensibilities of this country, upon the subject of its sovereignty and true independence, in such a crisis as this, are wisely disregarded.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 273.]

Department of State,
Washington, June 9, 1862.

Sir: Your despatch of the 16th of May, No. 160, has been received.

The arguments for the restitution of the Emily St. Pierre are so conclusive that I am happy in being authorized to assume them on behalf of this government without making any addition to them.

Of course we cannot send our naval police into British waters to recapture the Emily St. Pierre and bring her before our courts of admiralty. You have been instructed to take counsel upon the question whether our captors can maintain proceedings against the rescuers and the vessel in the British admiralty. When you shall have given us the result of these inquiries I shall again submit the whole subject to the President for his further directions.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 174.]

Legation of the United States,
London, June 13, 1862.

Sir: I have the honor to transmit a copy of Lord Russell's note to me, just received, in reply to mine of the 28th of May, on the subject of the ship Emily St. Pierre. At the same time I transmit a copy of my reply.

It seems to me that after this no resource is left in cases of seizure for violating the blockade but to put the officers in irons.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

Foreign Office, *June* 12, 1862.

Sir: I have had the honor to receive your further letter of the 28th of May respecting the case of the Emily St. Pierre.

In that letter you profess to review and re-examine all the circumstances of the case; but I do not observe that you cite any new authorities in support of your claim for the surrender of the vessel to the captors from whom she was rescued, or that you refer to any precedent tending to show that a demand, similar to that which you now make, has been ever made by any belligerent upon a neutral government, or acceded to by a neutral government.

Passing, however, to the observations in your letter now before me, her Majesty's goverment cannot acquiesce in your assumption that the governments of nations incur any responsibility for wrongful and fraudulent acts committed by their subjects against friendly nations by not taking positive measures of their own, manifesting either the determination to repress such acts on the part of their subjects, or the desire to repair them after they have been committed. It is a general principle that each nation deals only with offences committed against its own laws, and is not called upon to carry into effect, or to aid in carrying into effect, the laws of foreign nations against persons who may have violated them, and who may be found within its territory.

England, France, and the United States have constantly, either by diplomatic acts, or by decisions of their tribunals, expressed their opinion that, upon principles of international law, irrespective of treaty, the surrender of a foreign criminal who has taken refuge within their territory cannot be demanded. Such a criminal has not offended against the law of the country in which he is found, and that country is not bound to take notice of his having violated the law of a foreign State; and therefore, by parity of reason, neutral nations are not bound to punish their subjects for offences committed only against the laws of war as enforced by belligerents, nor to restore property rescued by their subjects from foreign captors.

It is notorious that a nation takes no notice of offences either begun or committed, or carried out and concluded, within its territory against the fiscal laws of another nation; it lends such nations no aid in enforcing those laws, or in apprehending or punishing those who break them; it does not restore property brought into its territory out of a foreign state by smuggling; it does not interfere with property in its territory or on board its vessels "in transitu" to be smuggled into a foreign state; it incurs no international responsibility by tolerating the acts of persons engaged in such transactions; it does not attempt by any positive measures of its own to manifest either the will to repress the commission of the act or the desire to repair it after it is done.

The principle on which the foreign enlistment act is founded is broadly distinguishable from, and is a plain exception to, what I have now stated. Attempts on the part of the subjects of a neutral government to take part in a war, or to make use of the neutral territory as an arsenal or barrack for the preparation and inception of direct and immediate hostilities against a State with which their government is at peace, as by enlisting soldiers or fitting out ships-of-war, and so converting, as it were, neutral territory into a hostile depot or post in order to carry on hostilities therefrom, have an obvious tendency to involve in the war the neutral government which tolerates such proceedings. Such attempts, if unchecked, might imply, at least, an indirect participation in hostile acts, and they are, therefore, consistently treated by the government of the neutral state as offences against its public policy and safety, which may thereby be implicated. But these acts are widely different from such offences against the laws of war exclusively as attempts by merchant ships to break blockade or the rescue of an individual ship from her prize crew. Not only in the case of neutrals in war, but in all cases falling within the same general principle, the nation to whom the parties complained of belong leaves to other nations who may suffer by the acts of such parties the infliction of the penalty. It may happen that the nation receiving the injury may have an opportunity of resenting it should it, perchance, catch the offenders within its jurisdiction. Had the Emily St. Pierre fallen a second time into the hands of a United States cruiser, a prize court of the United States would, in all probability, have condemned the ship and cargo. Nor would her Majesty's government have complained of a condemnation judicially pronounced in accordance with the law of nations.

Her Majesty's government, in adhering to this line of conduct, are, therefore, acting in accordance with reason, policy, and the common and universal usage of nations in like cases.

You speak of the rescue of the Emily St. Pierre as being a fraud by the law of nations. But whether the act of rescue be viewed as one of fraud or of force, or as partaking of both characters, the act was done only against the rights accruing to a belligerent under the law of nations relating to war, and in violation of the law of war; which, whilst it permits the belligerent to exercise and enforce such rights against neutrals by the peculiar and exceptional right of capture, at the same time leaves to the belligerent alone the duty and confers upon him the power of vindicating such rights and of enforcing such law. The same law not only does not require, but does not even permit, neutral nations to carry out belligerent rights.

You allude to the conduct of the United States government in the case of the Trent; but the flagrant wrong done in that case was done by a naval officer in the service of the United States; the prisoners whose release was demanded were in the direct custody and keeping of the executive government, and the government of the United States had actually the power to deliver them up, and did deliver them up, to the British government. But the Emily St. Pierre is not in the power of the executive government of this country; and the law of England, as well as the law of nations, forbids the executive government from taking away that ship from its legal owners.

I do not think it necessary to dwell, or even to remark, on the observations which you repeat in your present letter as to the terms of her Majesty's proclamation, and as to the course which you suggest her Majesty's government should adopt for giving effect to them.

I can only again assure you that her Majesty's government have been most careful in observing strictly that impartial course which neutrality enjoins.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Earl Russell.

Legation of the United States,
London, June 13, 1862.

My Lord: I have the honor to acknowledge the reception of your lordship's note of the 12th instant, in reply to mine of the 28th of May last, on the case of the ship Emily St. Pierre. As I do not perceive that its contents materially change the nature of the issue that had been already made up, I shall content myself with the transmission of a copy, to complete the correspondence on the subject, to the government of the United States.

I pray your lordship to accept the assurances of the highest consideration with which I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. Earl Russell, *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

[Extracts.]

No. 175.] LEGATION OF THE UNITED STATES,
London, June 18, 1862.

SIR: I have to acknowledge the reception of despatches from the department numbered from 259 to 267, both inclusive. * * * *

The general tenor of these papers is more cheering than that of any received within a corresponding space of time since the day I first arrived at this post. I am in hopes that the effect of the intelligence may be useful here, where the genuine sentiment of the governing classes becomes more and more visible every hour. The only consolation now left for the disappointed spirits who have so confidently counted upon a division of the Union into two nations is the belief that at any rate there can be no lasting harmony whilst we remain one. The eagerness with which they hunt up the petty details to confirm this notion, and keep out of sight whatever goes to shake it, is deserving of notice only as it betrays the temper in which the struggle has been viewed in this kingdom from the outset.

Since the despatch of your No. 261 you will have received my letter of the 30th of May, No. 168, covering a copy of my note to Lord Russell and his reply, which close the correspondence respecting the case of the Emily St. Pierre. I am not sure whether, as the matter has been left, the government would consider it advisable that I should act on the suggestion in your letter. All the consultations with lawyers and efforts to invoke the aid of courts made thus far have terminated only in the payment of large fees to the one and the abnegation of rights of jurisdiction by the other. Should it be the wish of the President, however, after an examination of the whole correspondence, to take that course, I shall very cheerfully adopt it.

It is not a little strange that this very question appears to have occupied the attention of the two governments so far back as in the year 1800. My attention has been called to this fact by my under secretary, Mr. Moran, who happened to find the correspondence on the subject in the third volume of the collection of American State Papers relating to foreign affairs. It was the British government which then made the claim on almost the identical grounds taken by me, and the American declined acceding to it, substantially for the same reasons given by Lord Russell. The case is the more remarkable that it is shown to have been decided not without difficulty in the cabinet of President Adams. The opinion of Mr. McHenry, as given in that work, is not less remarkable for its soundness than for its singular sagacity in predicting the ill consequence of the course then taken. At that date the law of rescue had not been laid down with the distinctness which it had assumed under the dicta of Lord Stowell. In the course that I felt it my duty to take I have acted on my own responsibility, it is true, but as yet I see nothing to take back.

I have the honor to transmit copies of the correspondence relating to the claim of the ship Daring, of Boston, which has passed in consequence of the directions contained in your despatch No. 257.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, June 11, 1862.

MY LORD: I am instructed to submit to the consideration of her Majesty's government copies of papers relating to the ship Daring, of Boston, in the United States, and to the damage and loss experienced by the owners, growing out of the detention of a shipment of a quantity of saltpetre at Calcutta, in the month of December last, made prior to the reception of her Majesty's proclamation prohibiting the export thereof.

As I cannot entertain a doubt of the disposition of her Majesty's government to administer relief in cases of hardship to citizens of a friendly nation engaged in legitimate trade, occasioned by the retroactive operation of a public act of which they could have had no knowledge, provided that the facts be clearly established, I simply content myself with expressing the hope that the papers will receive from your lordship such attention as they shall appear on examination to deserve.

Renewing the assurances of my highest consideration, I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. EARL RUSSELL, *&c.*, *&c.*, *&c.*

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *June* 16, 1862.

SIR: I have the honor to acknowledge the receipt of your letter of the 11th instant, enclosing papers relative to the claim of the owners of the United States vessel Daring, to be compensated by her Majesty's government on account of the detention of some saltpetre shipped on board that vessel at Calcutta, and I have to inform you that I have lost no time in forwarding these papers for the consideration of the proper department of her Majesty's government.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 176.] LEGATION OF THE UNITED STATES,
London, June 20, 1862.

SIR: I had a conference with Lord Russell yesterday at four o'clock. I began it by asking for copies of the papers relating to the case of Mr. Fauchet, mentioned in the memorandum attached to your No. 265. His lordship took a note and promised to furnish them.

I then mentioned to him the receipt of a copy of the intercepted letter of Mr. Huse, which accompanied your No. 266. I observed that it went to show the representations heretofore made by me of the action of rebel officers here not to have been exaggerated. To that end I had caused a copy to be made which I would leave with him.

On the main object for which I had sought an interview, the reading to him your despatch No. 260, I found, upon an examination of the various papers I had brought with me, that I had left it at home after all. But I gave the substance of it, and as his lordship intimated that he would like a copy of it, and I saw no objection to it, I agreed to send him one instead of putting him to the trouble of another correspondence.

We then had some desultory conversation on the case of the Emily St. Pierre, and on the progress of the war, which last his lordship seemed to admit to have the appearance of drawing to a close. We also talked over the action of General Butler. On the whole, I have never known an occasion in which his lordship manifested more good humor and a more kindly spirit. The latest manifestation of it may be perceived in the remarks made by him a short time afterwards in the House of Lords.

This day the motion of Mr. Lindsay, affirming the desirableness of the recognition of the insurgents, is to be brought forward in the House of Commons. His lordship casually alluded to it in the course of our conversation as a matter of little importance. In point of fact, the character of our latest news would seem to render the agitation of the question almost ridiculous. A newspaper report of the result will doubtless go out in the steamer that carries this despatch.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 275.]

DEPARTMENT OF STATE,
Washington, June 23, 1862.

SIR: I send you a copy of a report made by Lieutenant Charles McDougal, of the United States navy, dated April 13, 1862, showing that, in pursuance of orders from the British admiralty, he had been required to remove the United States ship-of-war Saginaw from the colony of Hong Kong, in China, and its dependencies. The interests of American commerce in the east require the presence of American vessels there, and with it the enjoyment of all the rights of maritime powers. No British interest can be injuriously affected by the presence of such vessels. But, on the other hand, their presence is beneficial to the interests of all the western powers. You will please make the fact communicated by Lieutenant McDougal known to Earl Russell, as a pregnant illustration of the unnecessary and injurious operations of the attitude held by the British government in regard to the insurrection existing in the United States. We shall no further urge a change of that attitude, having exhausted the argument. But it will occur to every one that the American people are not likely to be always satisfied with performing treaty stipulations without reciprocity.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Lieutenant McDougal to Mr. Welles.

U. S. Steamer Saginaw,
Macao, April 13, 1862.

Sir: I have the honor to report the following:

The anticipated troubles with England having subsided, on the 19th ultimo I removed this vessel from this place to Hong Kong, deeming Hong Kong to be the better place for carrying out any instructions I might receive from the department concerning her.

On the 5th instant I received a call from the harbor-master, who informed me that he had been instructed to notify me to remove the United States steamer Saginaw from Hong Kong, at the same time handing me a letter containing the notification and enclosing a proclamation just issued by the governor, all of which I enclose.

There being no other course for me to pursue than that of complying with the requirements made, on the 10th instant I got under way and steamed over to this place, where I shall await instructions from the department.

Very respectfully, your obedient servant,

CHARLES J. McDOUGAL,
Lieut. U. S. navy, in charge of U. S. steamer Saginaw.

Hon. Gideon Welles,
Secretary of the Navy, Washington, D. C.

The Harbor-Master at Hong Kong to Lieutenant McDougal.

No. 3.]

Harbor-Master's Office,
Hong Kong, April 4, 1862.

Sir: I have the honor to enclose a proclamation issued by his excellency the governor, having reference to the hostilities which are now carried on between the States of North America which have seceded from the Union and those which adhere to it, and, in compliance with its provisions, beg to request you will be good enough to remove the United States sloop-of-war Saginaw, under your command, from the colony of Hong Kong and its dependencies.

I have the honor to be, sir, your most obedient servant,

H. G. THOMSETT, *Harbor-Master, &c.*

The Officer Commanding
United States sloop-of-war Saginaw.

Mr. Seward to Mr. Adams.

[Extracts.]

No. 277.]

Department of State,
Washington, June 24, 1862.

Sir: Your despatch of June 6 (No. 171) has been received.

* * * * * * * * *

The account of public opinion and public feeling in England concerning our affairs which it contains harmonizes in all respects with Mr. Dayton's report that the statesmen of France, including the Emperor, are no less skeptical about the restoration of the Union since the capture of New Orleans than they were before. You tell me that in England they still point to the delays at Richmond and Corinth, and they enlarge upon the absence of displays of Union feeling in New Orleans and Norfolk. Ah, well! skepticism must be expected in this world in regard to new political systems, insomuch as even Divine revelation needs the aid of miracles to make converts to a new religious faith. Corinth had already fallen on the very day when its supposed possession by the insurgents was deemed by the British public a ground for withholding their faith. A battle had also then been fought at Richmond, which, we think, was preparatory to the surrender or evacuation of that city. Trade has actively begun at New Orleans, and cotton is shipped from Memphis to New York. Unbiased observers would discern no sign of a possible recovery of the Mississippi and its immediate and remote tributaries by the insurgents. Unbiased thinkers would conclude that the authority of the nation whose naval and merchant marine navigate every river in the United States would not long be denied by the people living on their borders, especially if it should be content with defending them against dangers, carrying their mails, and distributing among them rewards and honors, while it left them in the possession of rights of self-government in a degree elsewhere unknown.

The reassurance of the favor of the Commons which the ministry have recently received is probably auspicious to the welfare of their great country. To us it brings the modified gratification that, unsatisfactory as its policy towards this country is, we are taught to believe, I know not how justly, that the party which seeks its overthrow is even more intolerant of a nation which prefers union, independence, and peace under republican institutions to division and subjection to foreign domination, with endless war.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 179.]

Legation of the United States,
London, June 26, 1862.

Sir: Notwithstanding the adverse news lately flowing in from America to the sympathizers with the rebels respecting the loss of their vessels and outfits, the effect of which has been to put an end to insurance on such risks, I continue to receive information of the preparation of such adventurers. One most flagrant instance has been presented to my attention by Mr. Dudley, the consul at Liverpool. I considered it so important that I have felt it my duty to make a representation of it to her Majesty's government. The uniform ill-success which has attended all my preceding remonstrances especially in the very parallel case of the gunboat Oreto, makes me entertain little hope of a more favorable result now. But the record would hardly seem complete without inserting it.

As Captain Craven, of the Tuscarora, has sent notice to this legation of his departure from Gibraltar and his arrival at Cadiz, I have taken the responsibility of asking him to come to Southampton for orders. Should it be possible to take any measures with prudence to break up the voyage of this vessel, I shall advise him of the fact.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

[Extracts.]

No. 180.]

Legation of the United States,
London, June 26, 1862.

Sir: Matters remain here pretty much in the same condition that they were in last week. The pressure for cotton is increasing in severity as the stock decreases. A sudden demand from the continent has led to the export of a considerable quantity, the effect of which has been to derange the calculations of the probable duration of the amount on hand. This consideration, taken together with the late unfavorable weather to the growing crops, tends to make people grave. There is not, however, so much talk of intervention or even of mediation in our affairs as there was some weeks ago. The news of the capture of Memphis and of the recovery of our control of the Mississippi, like that of every preceding stroke of a decisive character, put an end for the time to such agitation. The impression is growing stronger that all concerted resistance to us will before long be at an end. But there is still an eager belief, that is fostered by the confederate emissaries, that there will be irregular and continuous opposition to an extent sufficient to make peace and reunion impossible. Some are still supported by a lingering hope that the movements of the Emperor Napoleon in Mexico may take a turn against the United States. The darling desire of the governing classes that the United States may be irrevocably divided, though subdued in expression by events, still remains as closely cherished as it was on the first breaking out of the disturbances.

It is not to be denied, however, that the trial to which the people of this country are about to be subjected is a most serious one. We may yet hope that the fears entertained of the growing crop will prove ill-founded. Even in that case it is difficult to see how the operations in the great manufacturing counties are to be carried through the next winter without severe suffering. It is scarcely to be supposed that the crop of cotton now in the ground in the United States will at all compare in amount with that of ordinary years, and it may be very small. In any event, it will not be available until quite late in the season. The present stock will last, perhaps, three months. The only resource left for a supply is in the disposition that may be made of the remainder of the crop of last year. The exaggerated accounts of destruction which come from the American papers have the effect of persuading people that the spirit which inspires this sacrifice is pervading the entire population of the slaveholding States. Hence, that no dependence is to be put on any considerable aid from this source. At the same time, it seems impossible to find fault with the government of the United States, which is doing everything in its power to open the channels of supply. All that it could be expected to do further is to proceed in the same policy as fast as circumstances will appear to justify it. I uniformly reply to all representations made to me that great movements require time. Hence, that it is not wise to prejudge anything in the existing condition of America. Thus far our progress has outstripped all their expectations. It may do so to the end of the chapter. Nay, it will do so, provided they do not choose to put obstacles in the way. Their policy should have been to favor our efforts instead of disparaging them; to augur good rather than ill results. If, by their ill-disguised antipathy, a favorable issue should prove to have been delayed or partially impaired, they have themselves to thank, not us, for the evil consequences.

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There seems to be confidence in the success of confusion, in my belief, as little founded in justice as any of the preceding calculations of these infatuated men.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 281.]

DEPARTMENT OF STATE,
Washington, June 26, 1862.

SIR: It is my painful duty to bring, through you, to the notice of the British government facts in relation to the port of Nassau, a possession of her Britannic Majesty near the southern extremity of the United States, which are believed to be unquestionable. From the commencement of the present rebellion in this country, and especially since the establishment of the blockade, that port has been used as a place of deposit by the insurgents for munitions of war sent thither for their use by their agents and sympathizers in England. Sometimes the vessels in which they were carried thither have attempted to evade the blockade, and in a few instances may have succeeded. The main object in the choice of the site, however, seems to have been the facility with which contraband of war, transhipped to small schooners and similar vessels with little draft of water, might, in darkness, run into inlets on the southern coast of the island too shallow to allow them to be pursued by such vessels-of-war as can safely be used in enforcing the blockade.

Recently, however, a gunboat called the Oreto, built in England for the service of the insurgents, with ports and bolts for twenty guns, and other equipments to correspond, arrived at Nassau. The facts in regard to her having come to the knowledge of the United States consul, he made a protest upon the subject, and she was seized by the authorities. She was, however, released immediately after the arrival at Nassau, on the 8th instant, of Captain Semmes, late commander of the pirate Sumter, and the consul informed this department that she was about to start on a privateering cruise. He has also represented that there were then in that port eleven large British steamers laden with contraband of war for the insurgents in this country.

The release by the authorities at Nassau of the Oreto, under the circumstances mentioned, seems to be particularly at variance with her Britannic Majesty's proclamation of neutrality, and I am commanded by the President to protest against it, and to ask the consideration of her Majesty's government upon the proceeding as one calculated to alarm the government and people of the United States. I am also directed to ask the like consideration of her Majesty's government upon the manner in which the island has been used as a deposit for arms and munitions of war intended for the insurgents in the United States.

You are charged with the duty of laying this subject before the British government. The legislative and executive authority of the United States having been exerted towards preventing similar proceedings by persons within our jurisdiction during the insurrection in Canada in 1837, we may claim on this ground at least a reciprocity from the British government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

[Extracts.]

No. 282.]

Department of State,
Washington, June 27, 1862.

Sir: Your despatch of June 12 (No. 172) has been received. * * *

I have also communicated to the Secretary of the Navy the valuable facts which it presents concerning the effect in Europe of the success of the blockading squadron in capturing vessels engaged in supplying the insurgents with contraband material of war, and also your important suggestions upon that subject.

Since I last discussed the military situation no event palpably affecting it has occurred. Our military and naval forces at Charleston were kept at figures only necessary to aid in maintaining the blockade while conflict has been challenged at some important strategic points. We learn that our generals, perhaps too impulsive, have, without instructions, made an attack and have been repulsed at Charleston. While the affair may serve to encourage the languishing hopes of the insurgents, it no more than Jackson's late raid in the Shenandoah valley affects the actual progress of the war. The operations against Richmond continue to go on to the satisfaction of the military department.

Through many difficulties the work of pacification and revival of commerce at New Orleans and at Memphis is successfully advancing. The destruction of cotton by the insurgents seems to have come to a pause, and considerable shipments of that staple are coming from Memphis and Nashville. The Secretary of the Treasury is advised that large quantities of sugar are coming from New Orleans.

With the President's permission, I have interposed between Major General Butler and several foreign consuls to save possible complaints and prevent unnecessary complications from arising there at a juncture so important, and even so critical These matters have been harmoniously arranged, as far as possible, here, with the representatives of those concerned, so as to relieve yourself and other ministers in Europe.

I have carefully considered the information you give us concerning speculations and schemes entertained in London and Paris about what is there called mediation by one or more powers on that continent in our affairs.

Moreover, I have not neglected to collate this information with the remarks made by British ministers and statesmen, and by the influential partisan British press, although I am not accustomed to draw such remarks into this correspondence.

I notice with pleasure that Earl Russell spoke reassuringly to you in a late conversation to the effect that no change of counsels had been adopted, and certainly the statements made by himself and Lord Palmerston in Parliament are sufficiently decisive on that subject. Moreover, notwithstanding all sinister rumors, the President is satisfied that the French government has at present no design or purpose of changing its attitude for one that would give any new embarrassment to the United States.

For the rest I may say that if anything could be contrived to warm to an intenser heat the fires of the national patriotism beyond the events occurring in our own country every day, it would be these perpetual demonstrations of wishes in Europe for the dissolution of the American Union.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. F. W. Seward to Mr. Adams.

No. 284.]

Department of State,
Washington, June 30, 1862.

Sir: In the absence of the Secretary of State, I transmit to you a resumé of the military situation according to the advices last received. In regard to other subjects, left to be treated of by him upon his return to the capital, he will communicate with you by the steamer of next week.

The reports from the army near Richmond concerning the events of the past few days are somewhat imperfect, owing to a temporary interruption of telegraphic communication.

General McClellan, at the commencement of his operations in the vicinity of Richmond, used for his supplies and communications the line formed by the York and Pamunkey rivers, and the railroad from the point where it crosses the latter stream at White House to his camps on the Chickahominy. At the period when this line was adopted the James river had not yet been opened by our gunboats.

In carrying out his plan of operations against Richmond, General McClellan has been, as rapidly as practicable, transferring the greater portion of his force to the south side of the Chickahominy. This, on the one hand, left his line of communication by way of the White House more or less exposed, but, on the other, brought him nearer to the James river, and enabled him to open a new line of communication there. On Thursday and Friday of last week, not unexpectedly to him, the enemy assailed the force which still occupied the north side of the Chickahominy, thus precipitating the movement above described as in progress. A severe engagement ensued, with considerable loss of life, but little or none of material. He succeeded, however, in completing the transfer of his troops and supplies to the south side of the Chickahominy and in opening communication with our fleet on James river. His position now, therefore, as compared with his previous one, is advanced nearer to Richmond, and covers ground hitherto held by the enemy, and he has exchanged one main line of communication for another.

From the west all accounts are satisfactory. The power of the enemy to attempt offensive demonstrations of any magnitude is practically destroyed. The fortifications at Vicksburg are the only obstacles remaining to our complete control of the navigation of the Mississippi river, and in view of the preparations now making no doubt is entertained of their early reduction. The loyal sentiment is becoming gradually developed in the regions occupied by the troops of the United States. Numbers of persons are daily abandoning the insurgents and returning to their loyalty to the government, some attesting their sincerity, not merely by taking the oath of allegiance, but by proffering their military service in the armies of the Union.

I am, sir, your very obedient servant,

F. W. SEWARD,
Acting Secretary.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 182.]
Legation of the United States,
London, July 3, 1862.

Sir: I take advantage of the absence of any despatches this week which call for reply to give you an account of a conversation which I had with an unofficial person last Saturday morning at his request.

He began by alluding to the excitement taking place in the cotton market, and the sudden increase of the demand growing out of a conviction that the supply was likely soon to fail. The effect of this upon the population of the manufacturing region was becoming more and more perceptible. It was therefore desirable to ascertain as far as possible what the prospect was of obtaining any considerable quantity from the southern States. He wished me to tell him what I could from such sources of information as were open to me.

I replied that the supply was, in my opinion, somewhat dependent on the progress of the war. So long as there was a formidable power in the field which left open the possibility of a maintenance of the rebel authority, there was scarcely a likelihood that the timid class of planters, at heart well disposed to the Union and not disinclined to convert their cotton into money, would take the risk of an open committal. As to the duration of the war, it was a matter of opinion, in regard to which he must form his own as well as I. Much would depend on the turn it might take before Richmond. The pinch was at that point, and it seemed to me that such were the necessities of the rebels, some positive result could not be very long delayed.

He said that the case was becoming very grave in Europe. A failure of this staple so vitally necessary to the subsistence of a numerous population could not take place without the risk of much difficulty. There were symptoms already of a disposition to get up agitation and to give to the discontent of the distressed operatives a political direction. He then intimated quite broadly that the governing power, as well in France as in England, was not in a condition to withstand any great severity of pressure from this quarter. I understood him as speaking from good sources of information. Indeed I can readily conjecture precisely what they are. The result might be some joint representation to the government of the United States, the nature of which he rather hinted at than described.

To this I observed that the possibility of such a proceeding had been within my contemplation. But I could not help thinking it would only have the effect of complicating the embarrassment of the parties that might undertake it. Thus far the policy of my government had been carefully conservative. Its object to save the country, and especially the madmen of the south, from the dangers growing out of a precipitate treatment of the real cause of the war—the political abuses of the slaveholding system But the time might come when forbearance would cease to be a virtue, and every other consideration would yield to the instinct of self-preservation. The government had already been compelled to go so far as to examine and explain the possibilities of its action in certain contingencies. I had communicated a despatch to Lord Russell, within a few days, which had, for the first time since I had been here, entered into a grave exposition of its views on that subject. Any action of foreign nations like that suggested could be viewed only as imparting a moral strength to this dangerous element in our social system in America, and therefore requiring a more immediate and radical extermination of it. The consequence might be a social convulsion in the southern States, which, so far from yielding relief to the necessities of Europe, would put an end to all the prospect of obtaining any from that quarter for years. I had always thought that the great error of these governments had been in not seeing at the outset that their best interests were involved in the earliest possible restoration of the authority of the United States. Had they acted in that sense the war would have been at an end before this. But their actual policy had done just enough to give a sort of moral sanction to resistance, which had kept it dragging along until now. And now they were debating the expediency of a course which might, indeed, very much aggravate the distresses of all parties, but which, so far as I could see, would not end in any attainment of those objects for which it was to be professedly undertaken.

He said that this was his own view, and that he had urged it strongly elsewhere. In his opinion, the policy towards America should have been different, and the moral support of Europe so far assured to the government of the United States as to preclude any hope among the insurgents of possible assistance. But all that was over. There had been, from causes which he enumerated, a good deal of sympathy entertained for the rebel cause. Somebody had said that English people always sided with rebellion. (I might have added, but did not, except in cases of their own.) The difficulty now was serious. He was still in hopes that at least a half million bales might come to relieve the pressure. I said that I saw great cause for believing that it would, and the late rapid rise in price would, in my opinion, do much to hasten it. At all events, he resumed, the idea had occurred to him that some manifestation should be made by the government, he did not care in what form, of its consciousness of the nature of this distress among foreign nations, and of its desire to aid in relieving it. In short, his opinion seemed to be that some rather careful friendly exposition of the whole question, as bearing upon the policy of other countries, might be of use to check the direction of popular opinion against us in Europe; for he was not sure that most of the nations of Europe would not join in some way or other in a representation. He wished me to write thus much to you.

I promised to report the substance of the conversation, and you have the result.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

[Confidential.]

No. 287.]

DEPARTMENT OF STATE,
Washington, July 5, 1862.

SIR: Your despatch of June 20 (No. 176) has been received.

It is a satisfaction to know that a copy of my despatch 260 has been received and read by Earl Russell. The subject it presents is one of momentous import. It seems as if the extreme advocates of African slavery and its most vehement opponents were acting in concert together to precipitate a servile war—the former by making the most desperate attempts to overthrow the federal Union, the latter by demanding an edict of universal emancipation as a lawful and necessary, if not, as they say, the only legitimate, way of saving the Union.

I reserve remarks upon the military situation for a day nearer to the departure of the mail.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 288.]

DEPARTMENT OF STATE,
Washington, July 7, 1862.

SIR: I fear that the press, speaking as it does under the influence of a hundred various forms of excitement arising out of the incidents of the last ten days, will bewilder, if it does not for the moment confound, our representatives abroad.

The military situation is, however, clearly intelligible, and ought to be satisfactory to the cool and candid judgment of the country.

From the Mississippi we learn that after a long and vigorous bombardment of Vicksburg, Commodore Farragut passed the batteries at that place from below, and joined himself to the fleet which lay above it. Thus the last obstacle of the navigation of the Mississippi has been overcome, and it is open to trade once more under the flag of the Union from the headwaters of its tributaries near the lakes and Prince Rupert's Land to the Gulf of Mexico.

White river and the Yazoo have been cleared of all hostile armaments. We have a rumor that Vicksburg has actually been taken. But the report is premature, although we have no doubt but the capture has, before this time, occurred.

The fleet under Commodore Goldsborough has been efficient in seizing and bringing into port many British vessels carrying contraband, and insured at Lloyd's against the perils of the blockade. So that it may be expected risks of this kind will sensibly diminish. On the coast all is safe and well.

In the west General Halleck is pushing a force from Corinth eastward without any show of organized resistance to capture Chattanooga, and close the only remaining railroad communication between Richmond and the valley of the Mississippi. This achievement will effect deliverance of Eastern Tennessee, distinguished for its loyalty, and so crown the pacification of the whole region west of the Alleghany mountains, north of Georgia and Alabama, and south of the Ohio river. But it is the vicinity of Richmond that has been the scene of military events of the intensest interest during the last two weeks, and it is that quarter that now chiefly engages the attention of the government.

General McClellan's original design for the capture of Richmond embraced a march up the peninsula from Fortress Monroe and Yorktown, supported by naval forces on both the York and the James river. The sudden appearance of the Merrimack, with her terrible power of mischief, obliged him to confine his march to the bank of the York river, with the aid of a fleet in that river alone. He had, then, the Chickahominy, with its variable flow, and its almost impassable swamps, between him and Richmond. The Pamunkey, the chief tributary of the York, afforded him navigation only to the White House, where he held his forces, twenty miles from Richmond, without any other co-operation from our naval force on both rivers there than protection they afforded to his rear. A large force that was intended to be auxiliary to the army of the Potomac was retained in front of Washington, necessarily, as it was thought, with a view to the safety of the capital against forces sent to menace it from Richmond. While General McClellan was thus obtaining a foothold on the peninsula north of the Chickahominy, the insurgents succeeded in obstructing the James river a distance of seven miles below Richmond, and in constructing fortifications at Fort Darling, up a precipitons elevation on the south bank of the James river, which rendered it impossible for the fleet on that river to remove the obstructions without the aid of a land force to carry that fort. General McClellan was steadily, and, as it seemed, successfully, moving his army across the Chickahominy to change his base to the James river, below Fort Darling, on Wednesday last, when the insurgents concentrated large forces upon what was yet the front of the moving column, and a series of battles began which filled up seven successive days, at the end of which the general, with his army, and substantially all his material, had reached and established himself at Harrison's Bar, upon the bank of the James river, in full co-operation with the fleet of seventeen gunboats, while the insurgents have not one man-of-war. This movement, which was a meditated, prepared one, undoubtedly became a retreat when the enemy pressed upon the withdrawing forces. The change of base involved a loss of communication for a time between the army and the government and the country. During this suspense, which lasted seven days, extravagant reports of disasters and losses, and the wildest alarm for even the safety of the army itself, obtained currency, and oppressed the public mind. At length we have the results so far as they affect the military situation. There have been immense losses, but more severe on the part of the insurgents than on that of the Union. The efficiency of the army of the latter is improved. That of the former, it is believed, is even more reduced. Every one of the battles was a repulse of the insurgents, and the two last, which closed the series, were decided victories. The army of the Potomac is rapidly receiving reinforcements from several sources, while the fleet is thought already equal in effect to an additional army. General Pope, having taken command of all the troops in Virginia, is pushing them forward from the north to cut off the railroad communication beyond the Rappahannock, and threatens them on the approach from the northwest. Within the next thirty days our navy, already large, will receive an augmentation of ten new iron-clad vessels, each equal to the Monitor. At the same time, the President, upon the invitation of the governors of twenty of the thirty-four States, has called out three hundred thousand men, a force amply sufficient to save all that has been gained, and sepedily close the civil strife.

You will read with interest and admiration General McClellan's modest conduct; his firm and decisive despatches and proclamation. The government and popular bodies who have heretofore been so efficient in filling up the armies are already in activity, and the prompt success of the call is deemed assured. The destruction of human life which has occurred is a sad and painful theme. But it brings its compensation in a military and in a political view—aspects in which it is now our stern duty toc ontemplate it. The delusion that the soldiers of the Union would not fight for it with as much courage and resolution as its enemies will fight against it, has been one of the chief elements of the insurrection. It has now been effectually dispelled.

Secondly. If, as fatalists argue, a certain quantity of human blood must flow to appease the dreadful spirit of faction, and enable a discontented people to recover its calmness and its reason, it may be hoped that the needful sacrifice has now been made.

Thirdly. If the representative parties had now to choose whether they would have the national army where it is and as it is, or back again where it was and as it was, it is not to be doubted that the insurgents would prefer to it the position and condition on the Pamunkey, and the friends of the Union the one now attained on the bank of the James.

Fourthly. The insurgents and the world abroad will see that the virtue of the people is adequate to the responsibilities which Providence has cast upon them.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 290.]

Department of State,
Washington, July 8, 1862.

Sir: As inquiry may be made of you as to the approbation by this government of a treaty recently concluded by Mr. Corwin with the government of Mexico, by one of the stipulations of which a sum of money was to be paid to that government, I have to inform you that the instrument was submitted to the Senate, but the Committee on Foreign Relations of that body has reported adversely thereon. It is not probable, therefore, that at this session at least the Senate will advise and consent to the ratification of the treaty.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

[Same to W. L. Dayton, No. 177.]

Mr. Seward to Mr. Adams.

No. 295.] Department of State,
Washington, July 9, 1862.

Sir: Mr. Stuart, in a very courteous manner, verbally expressed to me the opinion of her Majesty's government, that Major General Butler's order concerning the females in New Orleans who gave offence to the Union soldiers was an improper one in respect to the expressions employed in it, whatever constructions might be placed upon them, and their hope, therefore, that it might be disapproved.

I answered him that we must ask his government, in reading that proclamation, to adopt a rule of construction which the British nation had elevated to the dignity of a principle and made it the motto of their national arms—"*Honi soit qui mal y pense.*" That it was not until a gross construction of the order was brought to the knowledge of this government that we saw that the proclamation contained *un double entendre.* That gross meaning the government of course rejected, and it regretted that in the haste of composition a phraseology which could be mistaken or perverted had been used. I was happy, however, to inform him that all sensibility about the order seemed to have passed away, and no complaints were now heard of any impropriety of conduct on the part of the ladies of New Orleans. I explained also to Mr. Stuart the ground of the sensibility of our army to female discourtesy. Our soldiers are mainly young American citizens of education and respectability. Chivalrous respect to the sex is a national sentiment. Hitherto it has been met by gentle and respectful courtesy by those to whom the homage is so properly paid. It has not been expected that disloyalty to the common government of both parties would be regarded as a plea for a change of national manners Happily all classes of citizens easily learn to meet the changes which this unhappy civil war brings upon us.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 293.] Department of State,
Washington, July 9, 1862.

Sir: Your despatch of June 13, (No. 174,) accompanied by Earl Russell's final explanation on the case of the Emily St. Pierre, has been received.

We have been unable here to find the parallel case in the diplomatic correspondence referred to by you in connexion with this subject, and I reserve further remarks upon this case until you shall have been able to send it to us or direct our search for it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

[Extracts.]

No. 184.] LEGATION OF THE UNITED STATES,
London, July 9, 1862.

SIR: I have to acknowledge the reception from the department of despatches numbered 274, 275, and 276.

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I likewise forward copies of the correspondence, so far as it has gone, touching the preparation of the formidable gunboat at Liverpool for the use of the rebels. In accordance with the suggestion in Lord Russell's note of the 4th instant, I have directed the vice-consul at Liverpool, in the absence of Mr. Dudley, to prepare and send to the collector of customs there such further evidence as he may obtain of the true destination of that vessel. At the same time I have requested him to send me the same information with a view to take professional advice as to the practicability of proceeding against it in the courts, and, as a last resource, I have taken the responsibility of sending for the Tuscarora. Captain Craven has arrived at Southampton, and has been here to see me. I regard the case as so important that if the evidence shall prove in any way sufficient to justify the step, I shall authorize him to try to intercept her on her way out. This may have the effect of taking the vessel off of her present station and far over to the United States. I know nothing of the naval arrangements, but I presume that the Tuscarora can be replaced by some other ship of less power which would equally serve the purpose of the government as a safeguard against privateering in these waters.

I have not yet taken advice in regard to proceedings at law to recover the Emily St. Pierre, for the reasons already given. After the experience had in the case of the Nashville, I have not the smallest confidence in their utility. Should you, however, persevere in your wishes after receiving my despatch of the 18th of June (No. 175,) I shall readily comply. So much time has already elapsed since the event, that a little more delay will make no difference.

Strange as it may seem, Lord Russell has written to me to inquire the date of the claim made by the British government on that of the United States for the restoration of the three vessels rescued from their officers. The note of Mr. Liston, advancing the claim, was published in the last Observer, a newspaper of Sunday morning It makes a very awkward record. The newspapers which previous to its appearance were disposed freely to comment on my share of the published correspondence in the case of the Emily St. Pierre have since been silent.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, June 23, 1862.

MY LORD: Some time since, it may be recollected by your lordship that I felt it my duty to make a representation touching the equipment, from the port of Liverpool, of the gunboat Oreto, with the intent to make war upon the United States. Notwithstanding the statements returned from the authorities of that place, with which your lordship favored me in reply, touching a different destination of that vessel, I have the strongest reason for believing that that vessel went directly to Nassau, and that she has been there engaged in completing her armament, provisioning, and crew for the object first indicated by me.

I am now under the painful necessity of apprising your lordship that a new and still more powerful war steamer is nearly ready for departure from the port of Liverpool on the same errand. This vessel has been built and launched from the dock-yard of persons, one of whom is now sitting as a member of the House of Commons, and is fitting out for the especial and manifest object of carrying on hostilities by sea. It is about to be commanded by one of the insurgent agents, the same who sailed in the Oreto. The parties engaged in the enterprise are persons well known at Liverpool to be agents and officers of the insurgents in the United States, the nature and extent of whose labors are well explained in the copy of an intercepted letter of one of them, which I received from my government some days ago, and which I had the honor to place in your lordship's hand on Thursday last.

I now ask permission to transmit, for your consideration, a letter addressed to me by the consul of the United States at Liverpool, in confirmation of the statements here submitted, and to solicit such action as may tend either to stop the projected expedition, or to establish the fact that its purpose is not inimical to the people of the United States.

Renewing the assurances of my highest consideration, I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. EARL RUSSELL, *&c.*, *&c.*, *&c.*

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *June* 25, 1862.

SIR: I have the honor to acknowledge the receipt of your letter of the 23d instant, calling attention to a steam vessel which you state is now fitting out at Liverpool with the intention of carrying on hostilities against the government of the United States, and I have to acquaint you that I have lost no time in referring the matter to the proper department of her Majesty's government.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *July* 4, 1862.

SIR: With reference to my letter of the 25th ultimo, I have the honor to enclose a copy of a report from the commissioners of customs respecting the vessel which you have been informed is being built at Liverpool for the government of the so-styled Confederate States, and, in accordance therewith, I would beg leave to suggest that you should instruct the United

States consul at Liverpool to submit to the collector of customs at that port such evidence as he may possess tending to show that his suspicions as to the destination of the vessel in question are well founded.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Custom-House, *July* 1, 1862.

Your lordships having referred to us the annexed letter from Mr. Hammond, under secretary of state for foreign affairs, transmitting, by desire of Earl Russell, copy of a letter from the United States minister at this court, calling attention to a steamer reported to be fitting out at Liverpool as a southern privateer, and enclosing copy of a letter from the United States consul at that port reporting the result of his investigation into the matter, and requesting that immediate inquiries may be made respecting this vessel, and such steps taken in the matter as may be right and proper, we report:

That immediately on the receipt of your lordship's reference we forwarded the papers to our collector at Liverpool for his special inquiry and report, and we learn from his reply that the fitting out of the vessel has not escaped the notice of the officers of the revenue, but that as yet nothing has transpired concerning her which has appeard to demand a special report.

We are informed that the officers have at all times free access to the building yards of the Messrs. Laird, at Birkenhead, where the vessel is lying, and that there has been no attempt on the part of her builders to disguise, what is most apparent, that she is intended for a ship-of-war; and one of the surveyors in the service of this revenue, who had been directed by the collector personally to inspect the vessel, has stated that the description of her in the communication of the United States consul is correct, with the exception that her engines are not constructed on the oscillatory principle. Her dimensions are as follows: length, 211 feet 6 inches; breadth, 31 feet 8 inches; depth, 17 feet 8 inches, and her gross tonnage, by the present rule of admeasurement, is $682\frac{31}{100}$ tons. The surveyor has further stated that she has several powder canisters on board, but as yet neither guns nor carriages, and that the current report in regard to the vessel is that she has been built by a foreign government, which is not denied by the Messrs. Laird, with whom the surveyor has conferred; but they do not appear disposed to reply to any questions respecting the destination of the vessel after she leaves Liverpool, and the officers have no other reliable source of information on that point; and, having referred the matter to our solicitor, he has reported his opinion that at present there is not sufficient ground to warrant the detention of the vessel or any interference on the part of this department, in which report we beg to express our concurrence. And with reference to the statement of the United States consul that the evidence he has in regard to this vessel being intended for the so-called confederate government in the southern States is entirely conclusive to his mind, we would observe that inasmuch as the officers of customs of Liverpool would not be justified in taking any steps against the vessel unless sufficient evidence to warrant her detention should be laid before them, the proper course would be for the consul to submit such evidence as he possesses to the collector at that port, who would thereupon take such measures as the provisions of the foreign enlistment act would require; without the production of full and sufficient evidence to justify their proceedings, the seizing officers might entail on themselves and on the government very serious consequence.

We beg to add that the officers at Liverpool will keep a strict watch on the vessel, and that any further information that may be obtained concerning her will be forthwith reported.

THOS. F. FREMANTLE.
GRENVILLE C. L. BERKELEY.

The Lords Commissioners *of her Majesty's Treasury.*

Mr. Adams to Earl Russell.

Legation of the United States,
London, July 7, 1862.

My Lord: I have the honor to acknowledge the receipt of your note of the 4th instant, covering a copy of the report from the commissioners of customs, respecting a vessel presumed by me to be in course of preparation at Liverpool to carry on hostile operations against the United States. In accordance with your lordship's suggestion, I shall at once instruct the consul of the United States to submit to the collector of customs at that port such evidence as he possesses to show that the suspicions he entertained of the character of that vessel are well founded.

I pray your lordship to accept the assurances of the highest consideration with which I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. Earl Russell, *&c., &c., &c.*

Mr. Adams to Mr. Wilding.

Legation of the United States,
London, July 7, 1862.

Sir: I transmit herewith a copy of a note received by me from Lord Russell, in reply to my representation, founded on Mr. Dudley's letters of the 21st of June to me, respecting Mr. Laird's gunboat. In accordance with his lordship's suggestion, I pray you to furnish to the collector of customs, so soon as may be, any evidence which you can readily command in aid of the object designated.

I should be glad likewise to have such evidence made in duplicate, and one copy forwarded to me at the same time for possible use in another way at this point.

I have the honor to be, &c.,

CHARLES FRANCIS ADAMS.

Henry Wilding, Esq.,
United States Vice-Consul, Liverpool.

Mr. Seward to Mr. Adams.

No. 296.]

Department of State,
Washington, July 11, 1862.

Sir: The treaty between the United States and the republic of New Granada, signed on the 12th day of December, 1846, contains a stipulation which it will be seen was made not for any special or peculiar interest or advantage of the United States, but for the benefit and advantage of all nations, and which is in the following words, contained in the 35th article of said treaty:

"And in order to secure to themselves the tranquil and constant enjoyment of these advantages, and as an especial compensation for the said advantages, and for the favors they have acquired by the 4th, 5th, and 6th articles of this treaty, the United States guarantee positively and efficaciously to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and, in consequence, the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory."

On the 26th of June last Mr. P. A. Herran, minister plenipotentiary of the Granadian confederation near the government of the United States, transmitted to this department a note, of which a translation is hereto annexed, marked H.

In this note Mr. Herran gave information that Mosquera, a revolutionary chief, who is engaged in subverting the Granadian confederation, had sent an armed force to occupy the Isthmus of Panama, which proceeding was opposed by an unavailing protest of the governor of Panama, and Mr. Herran therefore invoked the interposition of this government in accordance with the treaty obligation above set forth.

Simultaneously with the reception of this note of Mr. Herran's, substantially the same information which it gave was received from our consul residing at Panama; and the President therefore instructed our naval commander of that port to take care to protect and guarantee, at all hazards and at whatever cost, the safety of the railroad transit across the Isthmus of Panama. Mr. Herran now insists that, owing to the character of the population on the isthmus and the revolutionary condition of that region, the security of the transit across the isthmus cannot be adequately insured by the presence and activity of a mere naval force, and that the Granadian confederation is entitled, therefore, to the special aid of a land force to be sent from the United States, and suggests that it should be made to consist of three hundred cavalry.

This government has no interest in the matter different from that of other maritime powers. It is willing to interpose its aid in execution of its treaty and for the benefit of all nations. But if it should do so, it would incur some hazard of becoming involved in the revolutionary strife which is going on in that country. It would also incur danger of misapprehension of its objects by other maritime powers if it should act without previous consultation with them. The revolutionary disturbances existing in that quarter are doubtlessly as well known and understood by the governments of Great Britain and France as they are by this government, and they are probably also well informed of the proceeding of Mosquera, which has moved Mr. Herran's application to the President. He desires an understanding with these two governments upon the subject, and you are therefore instructed to submit the matter to Earl Russell, as Mr. Dayton will likewise be instructed to confer with Mr. Thouvenel.

The points to be remembered are, first, whether any proceeding in the matter shall be adopted by the United States, with the assent and acquiescence of the British and French governments?

Secondly, what should be the force and extent of the aid to be rendered to the Granadian confederation?

Thirdly, whether these governments will unite with the United States in guaranteeing the safety of the transit under the authority of the Granadian confederation, or either of these objects, and the form and manner in which the parties shall carry out such agreement?

I hardly need say that this government is not less anxious to avoid any such independent or hasty action in the matter as would seem to indicate a desire for exclusive or especial advantages in New Granada than the British government can be that we shall abstain from such a course.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., &c., &c., &c.

The same, *mutatis mutandis*, to Mr. Dayton, No. 180.

Mr. Adams to Mr. Seward.

No. 185.]

Legation of the United States,
London, July 11, 1862.

Sir: The late cessation of our progress has had the effect of encouraging the hopes of the people here who sympathize with the rebellion. I think there can now be little doubt that they constitute much the greater part of the active classes of this kingdom. The efforts made by insurgent emmissaries to stimulate the popular discontents have not, however, been thus far attended with much effect. A most elaborate attempt of the kind at Blackburn, countenanced by a member of Parliament of some influence in the place, was signally defeated. Yet it is not to be disguised that the great rise that has occurred in the price of cotton will be attended by a diminution of the manufacture and a consequent enlargement of unemployed operatives. So long as Parliament remains in session, I am inclined to the belief that no particular consequences are to be apprehended. But, after the adjournment, should things appear to go on adversely with us, I shall not be surprised if some occasion be improved to plunge us into difficulty. It is at any rate my duty to prepare your mind for every such possibility. In this connexion I am constantly forced to observe how eagerly every act in the United States is caught up that may by possibility cast odium on the government. In this connexion it is not to be denied that General Butler is furnishing a good deal of material. Without desiring to express an opinion on the merits of his proceedings, I cannot help regretting that they appear at this distance to wear an aspect of want of courtesy toward the agents of foreign nations, which tends at this precise moment to increase the distrust with which our policy is regarded. I cannot help thinking that some form of general instructions to military officers holding responsible commands, in regard to the regulation of their official language, might tend to put a stop to many of the difficulties which have been experienced in the present contest. I cannot doubt that the reputation of the country abroad would be materially aided by such a measure.

I learned yesterday, from a credible source, that it is the intention of some of the ministers this evening to take new ground on the subject of America, should Mr. Lindsay decide to press his motion Should such prove to be the case, I shall forward a report of the debate to-morrow, by mail, via Queenstown.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

[Extracts.]

No. 298.]

Department of State,
Washington, July 12, 1862.

Sir: Your despatch of June 26 (No. 180) has been submitted to the President.

You inform us that the anxiety arising from the reduction of the supply of cotton in Great Britain increases, while it is also very clear that at the time when your letter was written the government and people of that country had attained a more temperate condition, and were indulging somewhat a more hopeful view of the result of the civil war in this country.

The events which have occurred at Richmond have produced so much perturbation here that it is hardly to be expected that they will not seriously disturb the public mind in Europe. I shall endeavor, by the President's direction, to give you the information which, used at your discretion, may enable you to deal with this new agitation.

Since my last despatch no new military event of any significance has occurred. We have carefully ascertained the character and the results of the recent battles before Richmond, and have considerod and adopted such measures as the new exigencies have seemed to us to require. What I have before written to you is in the main confirmed. The seven days' battles were accepted by our army upon a compulsory change of base. Our losses were large, but much less than the first reports represented. They amount to about 12,000 men. The losses of the insurgents were greater. Each battle was, in fact, a victory of our army, although the flank movement from the field towards the new base gave the whole series the character of a retreat. The result is that the new base is a safer one, and the new position an impregnable one. The federal army, with General McClellan, now thus safely lodged on the north bank of the James river, twenty-five miles below Richmond, numbers eighty thousand to ninety thousand, and a force which is not very much disproportioned to the insurrectionary army which occupies that city. The federal army, however, has the co-operation of a very large naval force. The federal army in front of this city, adding those which will probably be consolidated with it, is nearly equal in numbers. This last force is now under command of Major General Pope, who has achieved great successes in the western States, and is esteemed an officer of great ability. A general military command over all the land forces of the United States will be given to Major General Halleck, who will come from the western department to this capital.

* * * * * *

Great battles are said to demoralize armies; they certainly perplex the press, and the press for a time bewilders the people. These effects have been seen in the indecision and nervousness of our citizens since the affair at Richmond. But time restores equanimity and fixes popular determinations, based upon convictions of duty and patriotism. Our recruiting of the new levies has begun, and each day it is found easier and more successful. At the same time Congress indicates that it will not adjourn until it has armed the President with power to call out, at his discretion, any number of troops by draft, and to organize the militia of the seas by issuing letters of marque and reprisal. The devotion of the people to the Union increases in intensity, and the purpose to maintain it at whatever cost or sacrifice is now universally and resolutely manifested.

The disturbance of exchange does not seem to affect the prosperity of the country. We now have reduced cotton from its high place in exports; but the grain crops, especially in the north and in the west, are immense. These, together with our supplies of gold from California, are sufficient to sustain the business of the country in its present prosperous commerce Europe will have the benefit of the grain and the gold. How much it is to be regretted that all our arguments and persuasions have failed to induce the maritime states of that continent to discourage and so to repress an insurrection that not only temporarily prevents the exportation of cotton, but madly forbids the planting of that staple, and sooner or later disengages both planter and laborer from all cultivation whatever. The escape of fugitive slaves from the plantations upon the Peninsula between York and James rivers during the recent battles was very large, and that one loss, perhaps, counterbalances all the advantages, if any, which the insurgents have gained.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 299.]

Department of State,
Washington, July 12, 1862.

Sir: Your despatch of June 26 (No. 179) has been received.

You inform me that Mr. Dudley, our consul at Liverpool, has brought to your notice a new and flagrant violation of neutrality which is being attempted in some British port, and that you have remonstrated against it with the British government, and also have called Captain Craven to Southampton to defeat the enterprise. You, however, do not inform me of the name of the vessel; her particular character or purpose, or any of the circumstances of the case. I have communicated the imperfect information thus received to the Navy Department, in the hope that it may be able to render it useful.

This transaction will furnish you a suitable occasion for informing Earl Russell that since the Oreto and other gunboats are being received by the insurgents from Europe to renew demonstrations on our national commerce, Congress is about to authorize the issue of letters of marque and reprisal, and that if we find it necessary to suppress that piracy, we shall bring privateers into service for that purpose, and, of course, for that purpose only.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

CIRCULAR.

Department of State,
Washington, July 14, 1862.

Sir: I send you a copy of an important bill which the President this day submits to Congress, together with a copy of his message recommending the same. We trust that Congress may adopt the bill at once. But however that may be, there is no reasonable doubt that the policy involved cannot be long in winning the favor of the country, and in assuring the stability of the Union.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

[Same to all the ministers of the United States in Europe.]

Fellow-citizens of the Senate and House of Representatives:

Herewith is the draft of a bill to compensate any State which may abolish slavery within its limits, the passage of which, substantially as presented, I respectfully and earnestly recommend.

ABRAHAM LINCOLN.

JULY 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the President of the United States shall be satisfied that any State shall have lawfully abolished slavery within and throughout such State, either immediately or gradually, it shall be the duty of the President, assisted by the Secretary of the Treasury, to prepare and deliver to such State an amount of six per cent. interest-bearing bonds of the United States, equal to the aggregate value, at $—— per head, of all the slaves within such State, as reported by the census of the year 1860; the whole amount for any one State to be delivered at once if the abolishment be immediate, or in equal annual instalments if it be gradual; interest to begin, running on each bond, at the time of its delivery, and not before.

And be it further enacted, That if any State, having so received any such bonds, shall at any time afterwards by law reintroduce or tolerate slavery within its limits, contrary to the act of abolishment upon which such bonds shall have been received, said bonds so received by said State shall at once be null and void, in whosesoever hands they may be, and such State shall refund to the United States all interest which may have been paid on such bonds.

Mr. Adams to Mr. Seward.

No 186.]

LEGATION OF THE UNITED STATES,
London, July 17, 1862.

SIR: I have to acknowledge the reception of despatches from the department numbered from 277 to 284, both inclusive, with the single exception of No. 281, which has not come to hand.

The despatch No. 284, dated the 30th of June, was of service to me, as explaining the reasons of the movements of General McClellan, which would otherwise have been enveloped in mystery. But the speed of the telegraph now so far outstrips the progress of written communications that I had already received intelligence of the events down to the 7th instant, which more completely absorbed my attention. The conclusion which I draw from the whole is, that General McClellan has been thrown back in his work for an indefinite period, and that at the latest date he remained on the defensive rather than in the attitude of an assailant.

It is my duty to state that this impression is by no means the common one here. Generally regarded as decisive of the whole struggle, the news has had the effect, which you doubtless will have conjectured beforehand, of stimulating a manifestation of the feeling which has only been suppressed under the course of our preceding successes. I think last week I wrote to you mentioning the rumor that some demonstration might be made in Parliament on Friday night, and promising to send you a report of it should it take place. So slight seemed the promise of success at that instant that it turned out that Mr. Lindsay, the father of the original proposition upon which debate was to take place, had neglected to put it on the paper, and hence there was no subject to discuss. To remedy this defect, Lord Vane Tempest gave notice of a new motion, which contemplated nothing less than direct intervention in our quarrel by peaceable means *or otherwise.* Although this gentleman is the son-in-law of the Duke of Newcastle, his position in the House of Commons is not such as to give rise to much anxiety for his demonstration. Such was the state of things on Saturday and Sunday. But the later news of the present week has very considerably changed it.

Yesterday Mr. Lindsay took courage, and announced the resumption of his purpose. He first modified his motion so as to embrace both the points of recognition and intervention, incorporating into it even the significant word "*otherwise*," borrowed from that of Lord Tempest. To-day I learn that he has seen the effect of that course, and has so changed his language as to embrace only the idea of *mediation* in conjunction with other powers, and that of pledging Parliament to sustain the ministry in any policy they might think proper to pursue. I do not quote the phraseology, because it may yet undergo alterations, and you will be sure to see it in its final shape, as it will come up for discussion to-morrow night. It is now understood that Mr. Lindsay proposes to press his question to a division, and it is thought that a sufficient number of members favor it to sustain the intention. I do not think it is countenanced by the ministry or by the more influential members of the opposition. But it is a good deal nursed by the rank and file of the latter, and by a portion of the ministerialists. With these explanations you will be able to form your judgment of the prospect before us. For the rest I shall take measures to be well informed of the precise temper of the House through some person present at the debate, and shall endeavor to send you a report of it by the steamer of Saturday.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 187.]

LEGATION OF THE UNITED STATES,
London, July 17, 1862.

SIR: The Tuscarora is still at Southampton. She has been detained by the necessity for some slight repairs. Notes have passed between Lord Russell and myself on the subject, copies of which are hereto subjoined. The consul at Liverpool has made representations to the collector of the customs respecting the vessel not yet named, but undoubtedly fitting out at Liverpool to prey upon our commerce, according to the suggestions made by Lord Russell in his note in reply to my remonstrance. Unfortunately the consul did not affix to this paper the legal form of evidence, which led to its rejection. In the meanwhile I have advised him to supply the omission, and I learn that he has done so

I have likewise, in concert with Mr. Morse, the consul at this place, taken measures to obtain advices as to the expediency of proceeding against this vessel in another form, agreeably to a suggestion dropped to me some time ago by Lord Russell in conversation. As yet I have not learned the issue of the consultation. The deposition to be taken by Mr. Dudley may be as necessary in this case as in the other. I have requested duplicates to be forwarded to me at once.

Lastly, I have supplied to Captain Craven all the information I can obtain respecting the objects and destination of this vessel, and have advised him to take such measures as may, in his opinion, be effective to intercept her on her way out. He will probably leave Southampton in a day or two.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

[Enclosures.]

1. Lord Russell to Mr. Adams, July 12, 1862.
2. Mr. Adams to Lord Russell, July 15, 1862.

Earl Russell to Mr. Adams.

Foreign Office, *July* 12, 1862.

Sir: I have the honor to bring to your notice that the United States screw steamer-of-war Tuscarora has within the last few days arrived at Southampton, and that, in answer to inquiries addressed to her commander, the authorities at that port have been informed that she is in need of repairs, which will occupy at least a fortnight.

Under these circumstances, I have the honor to suggest that the proper course would be that you should apply formally for that indulgence in favor of the Tuscarora.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Adams to Earl Russell.

Legation of the United States,
London, July 15, 1862.

My Lord: I pray your lordship's pardon if, by reason of my want of acquaintance with the proper mode of proceeding, I have failed to take the necessary steps to solicit for Captain Craven, of the United States steamer the Tuscarora, permission to make some repairs required by the continued service of this vessel since her departure from the United States. In the conversation held with Captain Craven touching the matter I did not understand him to have learned that the application should come from me.

I presume that the repairs proposed are not of a nature to require much detention. I trust, therefore, that her Majesty's government will be pleased to grant the privilege to the Tuscarora so far as it may be necessary to place that vessel in good order for service at sea.

Renewing to your lordship the assurance of my highest consideration, I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. Earl Russell, *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 188.]

LEGATION OF THE UNITED STATES,
London, July 17, 1862.

SIR: I have the honor to transmit a copy of my note to Lord Russell in relation to the course taken by the harbor-master of Hong Kong towards the United States vessel the Saginaw. Copies of the papers enclosed, with your despatch (No. 275) of the 23d of June, relating to that subject, accompanied my note.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, July 14, 1862.

MY LORD: I am directed to lay before your lordship copies of despatches transmitted to me, touching the action of the harbor-master at Hong Kong, in relation to the United States steamer Saginaw. There certainly does seem to be a difference between the treatment experienced by this vessel and that applied to the Sumter in Gibraltar.

But, apart from this, it is needless to suggest to your lordship that the presence of some vessel-of-war in the China seas is almost indispensable to the protection of the interests of American commerce in that quarter, or that a denial of any of the ordinary rights of maritime powers operates with peculiar hardship upon them in this instance. On the other hand, it does not appear that any British interest could be seriously affected by the admission of such vessels to the enjoyment of them. Thus far experience may be said to have shown it to advance the interests of all the western powers. Under these circumstances I have been instructed simply to submit the facts to the consideration of her Majesty's government.

Praying your lordship to accept the assurances of my highest consideration, I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. EARL RUSSELL, *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 189.]

LEGATION OF THE UNITED STATES,
London, July 17, 1862.

That there has been more or less of communication between the great powers on the subject of the present state of America I do not doubt. As yet it has not probably run into any distinct form of action, but rather portends consultation to bring it to that. The interests of the different parties being clearly diverse, it is difficult to foresee what may be the issue of such counsels. The probabilities rather indicate the possible adoption of some overtures for mediation in a professedly friendly spirit, but rather imposing the more burdensome responsibility on the stronger side in case of its refusal to listen to them. Should circumstances continue to favor the idea of a protraction of the war, I am prepared for a demonstration of this kind in some form or other before the lapse of much time after the close of the session of Parliament.

The question must naturally arise how such a movement is to be met. Of course much would depend upon the precise shape it might take. Supposing, for an instant, that this should be as free from exception in manner as it could be made, and that its spirit were to assume the most benevolent aspect possible, the effect would be to concentrate in a degree the moral sense of the civilized nations of Europe in its behalf. Much would then seem to depend on the form which the reply would take.

Without pretending to suggest in advance any ideas respecting the policy which a similar proceeding might develop, it has occurred to me as important that a marked distinction should be upheld between the objects which the government has had in view from the outset of this struggle, and those which are imputed to it. Of these last the subjugation of the people of the rebellious region is the most generally entertained. Instead of being a war for the fuller establishment of free principles, it is construed as one of dominion of one part of the people over the other. In other words, the actual state of facts is precisely reversed, and the party which started the war for the attainment of that latter end is viewed as the one which is itself to be subjected. Under these circumstances it seems to me impossible longer to avoid an explicit declaration of the true state of the question. I have never understood it to be the design or the desire of the people of the United States to subjugate their brethren and forever after treat them as slaves. But I do understand it to be their determination not to permit them, by exercising the right of subjugating a large portion of their own people, on that basis, to occupy a position of perpetual danger to themselves. The attitude of a slaveholding nation, directed and controlled as it has been and would be in the southern States, in bitter hostility to the integrity of the Union as a republic based on freedom, could scarcely be tolerated under any circumstances, much less if established and upheld by the intervention of the most enlightened nations of the world. To guard against such a shocking result would seem to be the first care of a statesman. It is, then, only through the removal of the main obstacle, the continuance of slavery, that any prospect of a solution of this question at all honorable to the motives of the European powers can be opened up. With that as a fundamental condition all other difficulties might possibly be in time removed, and a pacific termination arrived at. To attain such an object might be, indeed, considered an event in the history of the world which would reflect the most credit on the parties undertaking it; whilst, on the other hand, to reject or evade it would be assuming, in fact, the maintenance of a policy which the whole European sentiment of the present century has united to denounce.

It is no more than my duty to add that the effect of the news received of the events at Richmond during the early part of the month will be to stimulate the activity of the movement all over Europe. It is showing itself strongly in private circles here as well as in the newspapers, and it will no doubt, before long, unless there should be a marked change for the better in America, take some form of public action. It would, then, seem to be of material consequence that the government should be prepared to meet any possible emergency by a clear line of policy, taking into view *all* the eventualities of the struggle.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 191.]

LEGATION OF THE UNITED STATES,
London, July 18, 1862.

SIR: I have only time before the closing of the bag to transmit the copy of a note received last evening from Lord Russell on the subject of the slave trade treaty.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

HON WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *July* —, 1862.

SIR: I beg leave to request that you will submit the following matter for the consideration of the cabinet at Washington:

You are aware that the 6th article of the treaty concluded on the 7th of April last between this country and the United States, for the suppression of the slave trade, provides that British or American merchant vessels may be lawfully detained, and sent or brought before the mixed courts of justice, if, in their equipment, there should be found any of the things specified in the said article as usually forming part of the equipment of slave vessels. Among the things which would render a vessel liable to seizure may be mentioned a larger quantity of water than is requisite, under ordinary circumstances, for the consumption of a vessel as a merchant vessel; an extraordinary supply of provisions, or a boiler or other cooking apparatus of an unusual size, or capable of being made larger than requisite for the use of the vessel as a merchant vessel.

The 7th article of the treaty provides that if any of the things specified in the preceding article should be found on board a vessel that may have been detained, or should be proved to have been on board during the voyage on which she was captured, no compensation for losses or expenses consequent upon the detention of such vessel shall in any case be granted, even though she should not be condemned by the mixed court of justice. But as some of the things specified in article 6, particularly those I have mentioned, viz: unusual supplies of water and provisions, and a large cooking apparatus, may be found on board vessels legally employed on the African coast, it becomes important that such vessels should not be put to an unnecessary inconvenience or detention. For instance, it may so happen that an American vessel engaged in carrying liberated Africans to Liberia or any other part of Africa, may, on her voyage to or from the African coast, fall in with a British cruiser, and unless the commander of the British vessel were assured that the vessel was engaged on a legal voyage, she might suffer detention.

On the other hand, a British vessel engaged in transporting, or fitted for the conveyance of liberated Africans from Sierra Leone, or from St. Helena to another British colony, might suffer detention at the hands of the commander of an American cruiser, unless her commander were assured of the legality of the voyage of the British ship.

With the view, therefore, to provide for the exemption from seizure or detention of vessels legally fitted for the conveyance of Africans to or from the African coast, it is the intention of her Majesty's government to cause British ships so employed to be furnished with a passport or "safe conduct," to be signed by one of her Majesty's secretaries of state, by the governor of the British colony from which such vessel may have sailed. The passport or "safe conduct" will state the name, tonnage, and description of the vessel, and the name of the commander, and the purpose of her voyage, and will be good only for the voyage on which the vessel may be chartered.

In acquainting your government with the course which her Majesty's government propose to pursue in this matter, I beg leave at the same time to request that you will have the goodness to suggest that American vessels which may be legally employed on the African coast, and whose equipment may render them liable to seizure or detention under the terms of the treaty, may, on their part, be furnished with a similar passport or safe conduct, signed by a competent United States authority. Whilst her Majesty's government on their part guarantee that British cruisers should not molest American vessels provided with such passports, they would, of course, require that a similar guarantee should be given on the part of the United States government in regard to British vessels.

I should be glad to be made acquainted with the decision of your government in this matter with as little delay as possible.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

[Extracts.]

No. 303.]

Department of State,
Washington, July 18, 1862.

Sir: The narrative of a conversation held between yourself and ——— has been received with much interest by the President.

You rightly told him that the prospect of the export of cotton depends now mainly on the course of the war. But I think you overrated the importance, in that respect, of the operations before Richmond. For foreign and of course for commercial purposes the Union exists practically unimpaired by the safety with which the conspirators as yet hold their treasonable conclave in Richmond, at the head of the James river, just as much as the Union would, for all practical purposes, exist if this government should remove itself from Washington, at the head of the Potomac, to St. Paul, at the head of the Mississippi. What cotton has been already prepared for market is remaining now in the cotton-producing States. All or nearly all of them communicate with the exterior through the Mississippi river, either downward by New Orleans, or upward through the rivers, canals, lakes, and railroads of the north. The Mississippi has already been opened to commerce through its whole length, with the exception of the obstruction at Vicksburg, about 200 miles above New Orleans. All the rivers, canals, lakes, and railroads before mentioned are free from obstruction; Vicksburg is besieged and must soon fall; Mobile and Charleston will fall soon thereafter. The work of pacification in the region concerned is going on as successfully as could be expected. You hear of occasional guerilla raids, but these are only the after pangs of a revolution in that quarter which has proved an abortion. The forces employed there have proved abundant for the purposes of the government; they have not been diminished, and they will be increased.

Want is pressing upon the owners and holders of the cotton, and want, daily increasing, will not be long in overcoming even faction and treason.

All our information leads to the belief that the cotton which has been destroyed by the insurgent authorities has been destroyed, not by its producers or holders, but by the armed forces of the insurgents; that the quantity so destroyed has been greatly exaggerated, and that the work of destruction has ceased. If, therefore, the military condition of the region concerned shall be improved continually as we expect, or even if it remain unchanged for the time, all the cotton which has been gathered will, in the course of a few months, under the protection of the government, find its way to the markets where it is so much wanted. I do not doubt that the quantity that can be exported exceeds half a million of bales; but upon this subject I write with caution, because a long period of non-intercourse has left us without special information from the Gulf States. Mr. ———, a very intelligent loyal citizen of New Orleans, intimately acquainted with its commerce and with the commerce of the southern States, was despatched by this department to that city on the 24th of June to obtain and report all the information possible on the general subject of the cotton supply, and the prospect of its coming forward. His first communication is daily expected, and you shall have the results of his researches so soon as they shall have been received.

I may state, moreover, that we are meditating a further relaxation of the rigor of our blockade, so as to favor, in a special way, the export of cotton. I shall probably write more fully upon this point in my next despatches to Europe.

So much may be said on the subject of Mr. ———'s conversation from the position which is held by the government of the United States; but the export of cotton to Europe depends, in no inconsiderable degree, on the action of the governments and peoples of that continent.

All our efforts are measurably counteracted by the attitude of those governments which recognize our internal enemy as a lawful public belligerent, and thereby are understood as encouraging it to hope for recognition and intervention. Those efforts are counteracted also by an illicit British trade which supplies that enemy with ships-of-war, arms, ammunition, supplies, and credit. And still more are they counteracted by the now conceded political sympathies of European masses and classes, who improve the civil war in this country and the distresses it works to the manufacturing and commercial interests of their own countries to raise against us there a prejudice which has the moral effect of sustaining and prolonging that civil war.

It must not be forgotten that the mass of the American people, including as well disloyal as loyal citizens, receive their information concerning the relations between our country and foreign nations, not from the careful, measured, and deliberate diplomatic communications with which you and I are familiar, but from the language of the press which on either side of the Atlantic assumes to interpret those relations, and interprets them according to its own interests, impulses, and prejudices. Hence it has happened that in this country the public mind, feeding on the suggestions of the press, is rapidly accepting a conclusion that certain European powers, among which are Great Britain and France, are meditating and preparing an intervention, under the idea that they can oblige the United States to consent to a dissolution of the Union to avoid foreign conflict, and if that fail, then that through such conflict they will open a passage for the free export of cotton from the insurgent States.

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It is easy to see how a European statesman, surrounded by the political influences of the governing classes, and listening naturally and loyally to the complaints of masses of men thrown out, or apprehensive of being thrown out, of their needful and customary employment, and at the same time looking no further than this, can suppose that such an appeal as is thus proposed may be made harmlessly, if not with some good effect. But the same statesman would probably take a very different view of the subject if he should extend his survey and take cognizance of the fact that the people of the United States have a sensibility on the subject of their sovereignty and national honor that no domestic disputes nor any foreign dangers have ever impaired; that they already feel that the foreign states concerned have acted injuriously towards them in a crisis when they expected respect and toleration, if not generous sympathy. Under these circumstances, the limits where the magnanimity of the United States in listening to the interested counsels of Europe must end are easily discerned. I do not indicate those limits. It is enough for me to say that this people have already risen above the level of the motives which would prompt the supposed appeal in Europe, and to which this appeal must be addressed here. They are conscious that they are contending not about stocks or tariffs, or treasure or profits, or gains or losses, or prestige or power, but for sovereignty, for self-government, for freedom, and for humanity. If there be one American citizen, not already committed and sworn to the betrayal of his country, who would listen favorably to any foreign persuasion on these great questions, I have yet to see him and to learn his name. If European states want to shorten this war, as we know they ought and must, their course is clear and easy. Let them respect the authority and the national rights of the American people. The correspondence which has just taken place between the President of the United States and the representatives of the so-called border States is herewith transmitted. It will show you that the revolution is already successfully arrested by the separation of those States from the company of the so-called Confederate States. It needs only any real or seeming danger of foreign intervention in the conflict to revive and renew devotion to the Union, even with the sacrifice of slavery, throughout the whole United States. Europe will not intervene or appeal to us except for cotton. Cotton, perhaps, could be furnished in answer to such an appeal only by saving the existence of slavery here to produce it. Intervention will end the exportation of cotton by extinguishing the slavery which produces it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 306.]

DEPARTMENT OF STATE,
Washington, July 24, 1862.

SIR: You are aware of the use which has been made of the port of Nassau by the insurgents and their friends as a deposit for vessels and merchandise for the purpose of breaking the blockade. Some of the residents there, notoriously engaged in this business, recently complained, through Mr.

Stuart, the British chargé d'affaires here, of certain restrictions which the Treasury Department authorized to be placed upon the transhipment of merchandise at New York from steamers from England to vessels for Nassau.

Explanations have been requested upon the subject, and I now enclose a copy of a letter of the 22d instant from the Secretary of the Treasury, and of its accompaniments, which will enable you to point out the necessity for the restrictions adverted to, should inquiry be made of you on that subject; and you may even invite that inquiry.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Chase to Mr. Seward.

TREASURY DEPARTMENT, *July* 22, 1862.

SIR: The communication of Mr. Stuart, British chargé d'affaires, relative to supposed unauthorized restrictions upon trade between New York and Nassau, having been referred for explanations to the collector of customs at New York, that officer has reported in relation thereto.

I have the honor to transmit herewith a copy of his communication, together with a copy of a letter from the United States consul at Nassau to the collector. The paper of Mr. Stuart is also herewith returned.

I have the honor to be,

S. P. CHASE,
Secretary of the Treasury.

Hon. WILLIAM H. SEWARD.

Mr. Barney to Mr. Chase.

CUSTOM-HOUSE, NEW YORK,
Collector's Office, July 16, 1862.

SIR: I have the honor to acknowledge the receipt of your letter of the 9th instant, enclosing copy of communication of the acting British consul at New York to the Hon. Wm. Stuart, the British chargé d'affaires at Washington, together with a letter from Mr. Stuart to the honorable the Secretary of State of the United States, and papers explanatory of both documents, relative to supposed unauthorized restrictions upon trade between New York and Nassau, N. P.

In relation to the matter of fact, and the opinions expressed thereupon in these documents, I have to report that the trade carried on between this port and Nassau in articles to be shipped thence directly to places and persons in the

Confederate States is of a magnitude only equalled by the barefaced notoriety of the transactions; and it will be observed that the fixed fact of the object of this trade is not denied by the high official functionaries who complain of restrictions being put thereon by the authorities of the United States.

I have further to report that in each of the several cases set forth in the letter of the British consul the articles refused to be cleared were either contraband of war, or their shippers refused to give a bond that they should not be appropriated to aid and comfort the rebels of the Confederated States.

The agent of Mr. Cunard refused to give this bond; so did all the other parties for whose goods a clearance was refused, as complained of by the consul.

It is worthy of remark that, just in the same ratio as it is alleged by the shippers to be absurd to suppose that such and such articles could be intended for the use of the rebels, is the facility and impunity increased with which the bond may be given.

In the case of the search of the schooner William H. Clear, the proceeding of the officers of the customs was founded upon information furnished by the police department of this city, and upon the presence on board, as a passenger, of the captain of a captured blockade-breaking British vessel. Considerable excitement naturally prevailed amongst all parties during the search, and it is altogether fair to presume that the offensive language which the captain refers to in his protest was an error and a fault on both sides.

I transmit to you herewith a letter just received from the United States consul at Nassau. The evils detailed therein, it would seem, can only be remedied by the non-intercourse which the exaction of the objectionable bonds will in most instances produce. It will be observed that one of the names mentioned by the consul, viz: John C. Rahming, is the party to whom several of the letters forwarded to you in mine of the 12th instant are addressed.

The papers enclosed in your letter are herewith returned.

I am, very respectfully, your obedient servant,

HIRAM BARNEY, *Collector.*

Hon. S. P. Chase,
Secretary of the Treasury.

Mr. Whiting to Mr. Barney.

United States Consulate,
Nassau, N. P., July 6, 1862.

Sir: I have the honor to inform you of the clearance at this port, to-day, of the British schooner Time, Saroyer, master, for New York.

This vessel belongs to Henry Adderly & Co., the actual agents of the rebel States, and she has discharged her two last cargoes from New York *directly* into the secession steamers engaged in running the southern blockade.

She came from New York about six weeks since, and put her cargo of coal into secession steamers, and some days since she discharged her whole cargo of provisions *directly* into the steamer Cecile, which sailed for Charleston the next day, but was fortunately totally wrecked at Abaco on the 14th ultimo.

I append the names of Nassau merchants most largely and directly engaged in contraband trade with the southern ports, as well as being most *openly* abusive of the Union and the north, viz: Henry Adderly & Co., Henry Landers & Son,

J. S. George, John C. Rahming & Co., C. R. Perfsall, I. J. Turtle, Alexander Johnson.

I particularize those who omit no opportunity of sending supplies of arms, munitions of war, and medicines to the rebels.

I have the honor to be, sir, &c.,

SAM. WHITING,
United States Consul

Hon. HIRAM BARNEY,
Collector of the port, New York.

Mr. Adams to Mr. Seward.

No. 194.]

LEGATION OF THE UNITED STATES,
London, July 24, 1862.

SIR: In answer to your despatch numbered 289, of the 5th of July, I now transmit copies of certain notes which have passed between the foreign office and this legation on the subject referred to. The printed portion of the correspondence is to be found in the third volume of the State Papers relating to foreign affairs, printed by Gales & Seaton, pages 576 to 581.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

[Enclosures.]

1. Earl Russell to Mr. Adams, July 4, 1862, for the date of the British demand for restoration of recaptured vessels.
2. Mr. Adams in reply to Lord Russell, July 7, 1862.
3. Lord Russell to Mr. Adams, July 21, 1862, with copy of Lord Grenville's note, of October 21, 1799, to Mr. Liston, and Mr. Pickering's note of May 3, 1800.

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *July* 4, 1862.

SIR: I should feel much obliged, if you have the means of doing so, if you would inform me of the exact date at which a demand, similar to that made by you in the case of the Emily St. Pierre, was made by the British government upon that of the United States for the restoration of a vessel seized by a British cruiser, but afterwards recaptured by the crew.

I have the honor to be, with the highest consideration, sir, your most obedient humble servant,

RUSSELL.

CHARLES FRANCIS ADAMS, Esq.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, July 7, 1862.

MY LORD: In answer to your lordship's note of the 4th instant, requesting me to inform you of the exact date at which a demand, similar to that made by me in the case of the Emily St. Pierre, was made by the British government upon that of the United States, I have the honor to transmit a copy of the note of Mr. Liston to Mr. Pickering, dated at Philadelphia, February 2, 1800, as I find it printed in the 3d volume of the State Papers of the United States relating to foreign affairs.

I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Earl RUSSELL.

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *July* 21, 1862.

SIR: I beg to thank you for your letter of the 7th instant, communicating to me a copy, as printed in the 3d volume of the United States State Papers, of the note from Mr. Liston to Mr. Pickering, of the 2d of February, 1800, applying for the restoration of the three vessels: Experience, Lucy, and Fair Columbian.

I have now the honor to enclose a copy of the instruction from Lord Grenville, under which Mr. Liston acted, and a copy of the note which was received from Mr. Pickering in reply. No law officer's opinion has been found, neither do there appear to have been any subsequent proceedings on the part of the British government.

I have the honor to be, with the highest consideration, sir, your most obedient humble servant,

RUSSELL.

CHARLES FRANCIS ADAMS, Esq.

No. 14.] DOWNING STREET, *October* 21, 1799.

SIR: I send you enclosed the copy of a letter which I have received from the lords commissioners of the admiralty, together with the papers to which it refers; and I have to signify to you his Majesty's pleasure that if the vessel mentioned in them, (*the brig Experience,*) should be brought into any port of the United States, you make a formal demand that she be immediately delivered up to you, together with the deserters and seamen who rescued her out of the possession of the prize master, in order that they may be sent to Jamaica, or to some other of his Majesty's colonies, to be there dealt with agreeably to the law of nations.

Mr. LISTON.

The Secretary of State to Mr. Liston.

DEPARTMENT OF STATE,
Philadelphia, May 3, 1800.

SIR: In reference to your letter of the 2d February last, I soon after took occasion to intimate to you what appeared to be the President's way of thinking on the subject. I have now the honor to state to you that while, by the law of nations, the right of a belligerent power to capture and detain the merchant vessels of neutrals, on just suspicion of having on board enemy's property, or of carrying to such enemy any of the articles which are contraband of war, is unquestionable, no precedent is recollected, nor does any reason occur which should require the neutral to exert its power in aid of the right of the belligerent nation in such captures and detentions. It is conceived that, after warning its citizens or subjects of the legal consequences of carrying enemy's property or contraband goods, nothing can be demanded of the sovereign of the neutral nation but to remain passive. If, however, in the present case, the British captors of the brigantine Experience, Hewit, master; the ship Lucy, James Conolly, master, and the brigantine Fair Columbia, Edward Carey, master, have any right to the possession of those American vessels or their cargoes, in consequence of their capture and detention, but which you state to have been rescued by their masters from the captors, and carried into ports of the United States, the question is of a nature cognizable before the tribunals of justice, which are opened to hear the captors' complaints; and the proper officer will execute their decrees.

You suggest that these rescues are an infringement of the law of nations. Permit me to assure you that any arguments which you shall offer to that point will receive a just attention.

With regard to the British seamen and deserters who have assisted in the rescues, with great truth I am authorized to assure you that the government have no desire to retain them; but besides that the many months elapsed since those events, and the consequent dispersion of the men, would probably render their delivery impracticable, it is not known to be authorized by any law. This has brought into view your project of stipulations for the mutual delivery of deserters, whether seamen or soldiers; and I have now the honor to enclose a counter project by which you will see the objections which have occurred to your propositions. The President has been pleased to direct and empower me to negotiate with you on this subject, and it will afford him great pleasure if we can make a satisfactory arrangement.

I have the honor to be, &c.,

TIMOTHY PICKERING.

ROBERT LISTON, Esq.

Mr. Adams to Mr. Seward.

No. 196.]

LEGATION OF THE UNITED STATES,
London, July 25, 1862.

SIR: Since the date of my despatch (No. 187) of the 17th of July, I have to report that I received from Mr. Collier so decided an opinion in regard to the illegality of the proceedings at Liverpool, that I directed Mr. Dudley to proceed with the utmost vigor in the preparation of the necessary depositions to place before the collector of customs at Liverpool. I authorized him to act under professional advice, so that no mere omission of form could be made to avail against us. No time has been lost in getting up the papers and in submitting them in the proper quarter. For two days Mr. Dudley and his adviser, Mr. Squarry, have been in constant communication with me here, and all the measures taken by them have been sanctioned by me. I am sorry to say that although the second opinion of Mr. Collier, based upon the depositions themselves, is so unequivocal, I have reason to believe that they are not likely to be more effective to secure the detention of the ship by the collector than any former action.

Not to omit any step that could be imagined likely to avail, I have transmitted copies of all the papers to Lord Russell, with a request for action on the subject in his department. I now send copies of the same, with the exception of the affidavits, which Mr. Dudley will probably send, for your consideration. As yet I have no answer from Lord Russell. I am not sanguine of success, but it seems to me that the action taken is essential to complete the record. I have authorized Mr. Dudley and Mr. Morse to incur some liabilities in the process, which I hope will not be regarded as ill-judged. The Tuscarora has not yet left Southampton. I shall give Captain Craven directions to intercept the vessel, if possible, should she be permitted to depart.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

[Enclosures.]

1. Opinion of R. P. Collier, esq., July 16, 1862.
2. Mr. Adams to Lord Russell, July 22, 1862.
3. Mr. Adams to Lord Russell, July 24, 1862.
4. Opinion of R. P. Collier, esq., July 23, 1862.
5. Mr. Squarry to Mr. Adams, July 23, 1862.
6. Same to Board of Customs, July 23, 1862.
7. Same to Mr. Adams, July 25, 1862.

No. 1.

Opinion of R. P. Collier.

The accompanying copy of a statement, submitted by the American consul in Liverpool to her Majesty's collector of customs there, will furnish all the information which has at present been obtained relative to the fitting out of a vessel intended to be used as a privateer for the purposes of the Confederate States of America. It is believed that the vessel is now very nearly ready.

The American government are desirous of taking immediate steps, under the foreign enlistment act, 59 Geo. III, cap. 69, to seize the ship and get her condemned.

Mr. Collier, Queen's counsel, is requested to advise as to the proper course of proceeding under the circumstances.

WESTERN CIRCUIT, *Winchester, July* 16, 1862.

I think the evidence almost conclusive that the vessel in question is being fitted out by the Messrs. Laird as a privateer for the use of the confederate government, in contravention of the provisions of the foreign enlistment act, 59 Geo. III, cap. 69.

As the matter is represented to me to be urgent, I advise that the principal officer of the customs at Liverpool be immediately applied to, under 59 Geo. III, cap. 69–'7, to exercise the powers conferred upon him by that section to seize the vessel, with a view to her condemnation, an indemnity being given to him if he requires it. It would be proper at the same time to lay a statement of the fact before the secretary of state for foreign affairs, coupled with a request that her Majesty's government would direct the vessel to be seized, or ratify her seizure if it has been made.

If the matter were not urgent I should advise no other steps being taken until it was known whether or not the government thought fit to interfere; but inasmuch as the government might not unreasonably take some little time to determine what course to pursue, during which time the vessel might escape, I advise the more prompt remedy.

R. P. COLLIER.

No. 2.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, July 22, 1862.

MY LORD: I have the honor to transmit copies of six depositions taken at Liverpool, tending to establish the character and destination of the vessel to which I called your lordship's attention in my note of the 23d of June last. The originals of these papers have already been submitted to the collector of the customs at that port, in accordance with the suggestions made in your lordship's note to me of the 4th of July, as the basis of an application to him to act under the powers conferred by the enlistment act. But I feel it to be my duty further to communicate the facts as there alleged to her Majesty's government, and to request that such further proceedings may be had as may carry into full effect the determination which I doubt not it ever entertained to prevent by all lawful means the fitting out of hostile expeditions against the government of a country with which it is at peace.

I avail myself of this opportunity to renew to your lordship the assurance of my highest consideration, and am, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

The Right Hon. EARL RUSSELL, *&c., &c., &c.*

No. 3.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, July 24, 1862.

MY LORD: In order that I may complete the evidence in the case of the vessel now fitting out at Liverpool, I have the honor to submit to your lordship's consideration the copies of two more depositions taken respecting that subject.

In the view which I have taken of this extraordinary proceeding as a violation of the enlistment act, I am happy to find myself sustained by the opinion of an eminent lawyer of Great Britain, a copy of which I do myself the honor likewise to transmit.

Renewing to your lordship the assurances of my highest consideration, I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

The Right Hon. EARL RUSSELL, *&c.*, *&c.*, *&c.*

No. 4.

Opinion of R. P. Collier.

CASE.

JULY 23, 1862.

You will receive herewith copies of the following affidavits in reference to a gunboat known as No. 290, which was built by Messrs. Laird & Co. at Birkenhead, as it is believed for the Confederate States of America, and which is now lying ready for sea in all respects in the Birkenhead docks.

No. 1. Affirmation of T. H. Dudley.
No. 2. Affidavit of I. DeCosta.
No. 3. Affidavit of M. Maguire.
No. 4. Affidavit of Hy. Wilding and M. Maguire.
No. 5. Affidavit of A. S. Clare.
No. 6. Affidavit of Wm. Passmore.
No. 7. Affidavit of Edward Roberts.
No. 8. Affidavit of Robt. John Taylor.

An application has been made, on the affidavits Nos. 1 to 6, inclusive, to the collector of customs at Liverpool, to detain the vessel under the provisions of the act 59 Geo. III, cap. 69, but under the advice of the solicitors to the customs the board have declined to sanction the detention of the vessel.

You are requested to advise the consul for the United States at Liverpool whether the affidavits now submitted to you disclose facts which would justify the collector of customs in detaining the vessel under the act in question..

OPINION.

TEMPLE, *July* 23, 1862.

I have perused the above affidavits, and I am of opinion that the collector of customs would be justified in detaining the vessel. Indeed, I should think it is duty to detain her, and that if, after the application which has been made to him, supported by the evidence which has been laid before me, he allows the vessel to leave Liverpool, he will incur a heavy responsibility—a responsibility of which the board of customs, under whose direction he appears to be acting, must take their share.

It appears difficult to make out a stronger case of infringement of the foreign enlistment act, which, if not enforced on this occasion, is little better than a dead letter.

It well deserves consideration whether, if the vessel be allowed to escape, the federal government would not have serious grounds of remonstrance.

R. P. COLLIER.

No. 5.

Mr. Squarry to Mr. Adams.

Tavistock Hotel, Covent Garden,
London, W. C., July 23, 1862.

Sir: I beg to inform you that I saw Mr. Layard at the foreign office after leaving you this afternoon, and ascertained from him that the papers forwarded by you in reference to the gunboat No. 290 were submitted yesterday to the law officers of the crown for their opinion. The opinion had not, up to the time of my seeing Mr. Layard, been received, but he promised, on my representation of the extreme urgency of the case, to send for it at once. Mr. Layard was not disposed to discuss the matter, nor did he read Mr. Collier's opinion.

I now enclose a copy of the case with Mr. Collier's opinion, and a copy of the letter which I have addressed this afternoon to the secretary of the board of customs.

I have the honor to be, &c.,

A. F. SQUARRY.

His Excellency The American Minister,
5 *Portland Place.*

No. 6.

Mr. Squarry to Board of Customs.

Tavistock Hotel, Covent Garden,
London, July 23, 1862.

Sir: Referring to an application which I made on behalf of the United States government, under the instructions of their consul at Liverpool, to the collector of customs at Liverpool, on Monday last, for the detention, under the provisions of the act 59 Geo. III, cap. 69, of a steam gunboat, built by Messrs. Laird & Co., at Birkenhead, and which, there is no doubt, is intended for the Confederate States, to be used as a vessel-of-war against the United States government, I beg now to enclose two affidavits which reached me this morning from Liverpool, one made by Robert John Taylor, and the other by Edward Roberts, and which furnish additional proof of the character of the vessel in question.

I also enclose a case which has been submitted to Mr. Collier, Q. C., with his opinion thereon.

I learned this morning from Mr. O'Dowd that instructions were forwarded yesterday to the collector at Liverpool not to exercise the powers of the act in this instance, it being considered that the facts disclosed in the affidavits made before him were not sufficient to justify the collector in seizing the vessel.

On behalf of the government of the United States I now respectfully request that this matter, which, I need not point out to you, involves consequences of the greatest possible description, may be reconsidered by the board of customs, on the further evidence now adduced.

The gunboat now lies in Birkenhead docks ready for sea in all respects, with a crew of fifty men on board. She may sail at any time, and I trust the urgency of the case will excuse the course I have adopted of sending these papers direct to the board instead of transmitting them through the collector at Liverpool, and the request, which I now venture to make, that the matter may receive immediate attention.

I have the honor to be, your obedient servant,

A. F. SQUARRY.

Secretary of H. M. Board of Customs, *London.*

No. 7.

Mr. Squarry to Mr. Adams.

Tavistock Hotel, Covent Garden,
London, July 25, 1862.

Gunboat No. 290.

Sir: I have further to report to you on this matter that I have again seen Mr. O'Dowd, the solicitor to the board of customs, who informs me that on receipt of my letter addressed to the secretary yesterday, the board resolved to refer the matter to the law officers of the crown, by whose opinion they would be guided as to seizing the vessel.

I have the honor to be, sir, your obedient servant,

A. F. SQUARRY.

His Excellency The American Minister.

Mr. Seward to Mr. Adams.

No. 308.]

Department of State,
Washington, July 28, 1862.

Sir: If the surmises and apprehensions which prevail here are at all indicative of occurrences in Europe, then political society there is agitated and occupied by suggestions, schemes, and plans of intervention in our affairs. Passing by chronic affections of the public morals in Europe, I apprehend that it is now excited by some recent irritations. Congress has just now augmented our tariff of imports on foreign merchandise. Since nearly all the positions at which we aimed have been attained and occupied, there is more decided resistance made by the insurgents upon the few which it remains for us to carry.

Our assault upon Richmond is for the moment suspended. No great and striking movements or achievements are occurring, and the government is rather preparing its energies for renewed operations than continuing to surprise the world with new and brilliant victories. The tone of the insurgents has been suddenly emboldened, while recent expressions of grief and sorrow, which naturally and justly follow battles attended by great losses of cherished lives, for the moment have seemed to indicate that the friends of the Union are less resolute and hopeful than heretofore. Cotton, the great want of Europe, has not flowed out of the ports which we have opened as freely as was unreasonably expected by the manufacturers of that continent, and their disappointment seems ripening into despondency.

It is not upon isolated events, much less upon transitory popular impulses, that governments are expected to build their policies in regard to foreign countries.

What I think is important, not less for foreign nations than for ourselves, is always to hold our civil war under contemplation, not merely as broken streams of unequal widths and intermitting currents, but as one continuous river, and so not to forget its source, its direction, and not only its immediate and local, but also its ultimate and universal effects

It is only the reflecting observer who habitually considers the course of events occurring in any one country as being determined, or at least materially influenced, by natural causes lying wholly or in part outside of that country, and which create a force commonly recognized under various names as the opinion of mankind, or the spirit or the genius of the age or of the times. Even such observers, while directing the opinion of mankind towards the abolition of slavery in the countries which tolerated it, have habitually forgotten that foreign interests and agencies have co-operated with domestic ones in the planting, hedging, cherishing, and preserving of slavery, and equally so in aiding or hindering and retarding its removal. It is not unnatural, therefore, that those who, anywhere, have discussed the subject of slavery with a view to its removal have forgotten that a policy directed to that end must for a time materially affect private and public interests, reaching far beyond the direct action of the policy itself. There are two African slaveholding nations on the American continent—Brazil and the United States. The world has agreed that the practice of slavery by these two nations is, on their part, an error, perhaps I may say a crime, and has for more than half a century demanded its speedy and complete discontinuance. This impatient demand was inspired by convictions of natural justice and sentiments of universal humanity, and the United States and Brazil, in different degrees, according to natural circumstances and national sympathies, have responded. The empire of Brazil has interdicted the African slave trade, and slavery is declining there from that cause. The United States prohibited the African slave trade, but, owing to peculiar circumstances, slavery recovered from the blow, and alarmingly increased. The United States have, therefore, interdicted slavery in the new and unorganized portions of the republic, with the expectation that under that interdiction slavery would slowly, perhaps imperceptibly, but certainly, decline.

No sooner did these measures take effect than Brazil and the United States began to experience inconveniences resulting from them. This was expected; for it is a political truism that every political reform, in proportion to its magnitude and its ultimate benefits, is immediately followed by social inconveniences, losses, and sufferings. If it were otherwise, public virtue, or virtue in the conduct of nations, would be relieved of trials such as individual virtue never escapes. It is understood that in Brazil whole provinces in which the coffee tree is relatively unproductive are being depopulated by the removal of slaves to others more favorable to its culture, the price of labor increases, and the relative profits derived from it abate.

In the United States the slaveholders resist the reform, and wage civil war to overthrow the government. Brazil and the United States have not claimed from other nations any indemnity for, or even any sympathy in, these sacrifices. They would have exhibited a want not merely of magnanimity, but of common sense, if they had done so. But both of these countries have a right to expect that other nations will bear with equal magnanimity their own lesser shares of the inconveniences resulting from the measures which were adopted, in part at their own instance, and in the name of common justice and humanity. I think that this expectation has not been disappointed in the case of Brazil. I do not hear that any nation or people propose to disturb or destroy, or aid in disturbing or destroying, that empire because coffee has become relatively more scarce, and therefore more costly. All nations take cheerfully the coffee that Brazil can send them, and look elsewhere for supplies of the deficiency.

But in this country the slaveholding insurgents solemnly resolve to compel foreign nations to join them in overthrowing the government, and to guaranty boundless and endless African slavery on this continent by burning the cotton already produced, and preventing the production of more; and, strange to say, these nations are asked to entertain the question whether they shall not intervene to defeat the reform they so justly urged, at the cost of the national existence of the United States. The resistance of the slaveholders is thus seen to be not merely treason against this country, but a war against human nature itself, and the European nations not only claim to be neutral, but they are represented as hesitating whether, under the pressure of a want of cotton, they shall not become allies in that war.

What are the reasons urged upon those governments by short-sighted politicians for such a proceeding. They are various, but none of them will bear examination? First it was said that civil war among us endangers the commerce of foreign nations, and that they have a right to practice neutrality. So, indeed, they have, if their commerce is endangered, and if pronounced neutrality will save their commerce. But no slaveholding cruiser from this country ever attacked, or even menaced, the commerce of Europe before the attitude of neutrality was adopted. Then it was said that the United States resorted to a blockade, but the blockade is an application of force allowed by the laws of nations to all belligerents. Then the blockade was represented as being imperfect; but if it had been so. it was therefore the less injurious. Then it was too rigorous, and prevented the export of cotton and the import of fabrics. Is not this the lawful object of a blockade? Then it was alleged that the closing of the cotton ports by the blockade was continued too long. We opened them to trade, and invited it; the insurgents refuse to let cotton be sent forward to market. We apply all our means and energies, confessedly greater than any nation ever before applied, to suppress insurrection and restore the freedom of our inland and foreign commerce, and we gain victory after victory, yet this does not satisfy our enemies abroad. Defeats in their eyes prove our national incapacity. Victories won in conformity with the most humane practices of war are attended with such destruction of life as to shock and confound their sensibilities. Complaints against an increase of duties on foreign merchandise, and against the rigor of our taxation, come upon us in the very same breath with representations that our engagements will never be fulfilled, and our bonds not yet matured are advised to be forced back upon our newly filled money market for sale. The same voices which are proclaiming to the world that the preservation of the Union is a task too expensive for the government denounce the revenue measures adopted to secure the accomplishment of that task as hostile to foreign nations. At first the government was considered as unfaithful to humanity in not proclaiming emancipation, and when it appeared that slavery, by being thus forced into the contest, must suffer, and perhaps perish in the conflict, then the war had become an intolerable propagandism of emancipation by the sword.

I do not require you to complain, as these facts, perhaps, might warrant me in doing, that there seems a predisposition in western Europe, if not in favor of the slaveholders and their cause, at least against the Union and the cause of humanity that is now for weal or woe identified with its preservation.

I have brought this identification of the cause of humanity with that of our country thus prominently into view for the purpose of showing that the motives and the objects of those who oppose or seek to embarrass the latter, either at home or abroad, may be well understood and fairly weighed, and the moral as well as the material resources of the country may not be undervalued.

Having done this, it remains for me only to say further, that the purpose of the American government and people to maintain and preserve the Union and their Constitution remains unchanged; that the war in which they have been engaged, though it has been opposed by agencies and influences abroad which we had not foreseen, has been crowned with successes which are satisfactory to our calmer reason and judgment; that temporary disappointment of our expectations, with our grief over losses of valuable lives, unavoidable among a humane, affectionate, Christian people, has already culminated, and it is now declining; that our armies remaining in the field, with their appointments, excel by far all the forces which the insurgents have now, with any augmentation they can make; that, in addition to the present forces, the orders are issued, the machinery is in motion, for the immediate addition of three hundred thousand men, all of whom will come into camps with an alacrity equal to that which has heretofore been exhibited by the people; that inactivity is already giving place to new and effective exertions which will be sufficient for the termination of the war; that below these new ranks of volunteers there still remains a mass yet sedentary, and which is daily increased by immigration, which is equal to all that has been called forth, which will be prepared as a reserve, and, if necessary, will be brought up to decide the contest. Neither the government nor the country has experienced exhaustion, or even financial pressure, but in the midst of wars and campaigns the fiscal condition of both is satisfactory, and superior to that of any other government and people. We are a nation not chiefly of cotton-growers, but of farmers, manufacturers, and miners. We will induce or oblige our slaveholding citizens to supply Europe with cotton if we can. So far as we fail we fill up the deficiency promptly by sending bread and gold. We invite foreign products such as we need at prices which we can afford to pay, and we invite a premature return of all our bonds and stocks, and will promptly pay and redeem in gold, with which cotton may be bought wherever freemen can, with gold, be induced to raise it. Let the world judge whether more can be required of us. If we are not met by serious obstacles raised by foreign powers we shall speedily open all the channels of commerce, and free them from military embarrassments, and cotton, so much desired by all nations, will flow forth as freely as heretofore.. We have ascertained that there are three and a half millions of bales yet remaining in the region where it was produced, though large quantities of it are yet unginned and otherwise unprepared for the market. We have instructed the military authorities to favor, so far as they can consistently with the public safety, its preparation for and despatch to the markets, where it is so much wanted; and now, notwithstanding the obstructions which have necessarily attended the re-establishment of the federal authority in that region against watchful and desperate public enemies, in whose hands the suppression of the cotton trade by fire and force is a lever with which they expect to raise up allies throughout Europe, that trade has already begun to revive, and we are assured by our civil and military agents that it may be expected to increase fast enough to relieve the painful anxieties expressed to us by friendly nations. The President has given respectful consideration to the desire informally expressed to me by the governments of Great Britain and France for some further relaxations of the blockade in favor of that trade. They are not rejected, but are yet held under consideration, with a view to ascertain more satisfactorily whether they are really necessary, and whether they can be adopted without such serious detriment to our military operations as would render them injurious rather than beneficial to the interest of all concerned. An answer will be seasonably given, which will leave foreign powers in no uncertainty about our course. Such are the expectations of this government. They involve a continued reliance upon the practice of justice and respect of our sovereignty by foreign powers. It is not necessary for me to say that if this reliance fails, this civil war will, without our fault, become a war of continents—a war of the world; and whatever else may revive, the cotton trade built upon slave labor in this country will be irredeemably wrecked in the abrupt cessation of human bondage within the territories of the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 312.]

Department of State,
Washington, *July* 31, 1862.

Sir: I hasten to acknowledge the receipt of your despatch of the 18th of July, (No. 191.) It is accompanied by a note which was addressed to you by Earl Russell, of the following effect, namely:

It brings into view the 6th article of the new treaty for the suppression of the African slave trade, which provides that British or American merchant vessels may be lawfully detained, and sent or brought before the mixed courts of justice, if in their equipment there should be found any of the things specified in that article as usually forming part of the equipment of slave vessels.

Earl Russell then specifies several suspicious circumstances, which are mentioned in the treaty as being sufficient to warrant seizure, such as a quantity of water larger than is required by a merchant vessel, an extraordinary supply of provisions, a boiler or other cooking apparatus of an unusual size, or capable of being made larger than requisite for the use of merchantmen.

Earl Russell then calls attention to the 7th article of the same treaty, which provides that if any of the things specified in the said 6th article shall be found on board a vessel that may have been detained, or if any of these things shall be found to have been on board during the voyage on which she was captured, no compensation for losses or expenses consequent upon the detention of such vessel shall in any case be granted, even though she should not be condemned by the mixed court of justice.

Earl Russell then observes that some of the things specified in article 6, particularly unusual supplies of water and provisions and a large cooking apparatus, may be found on board of vessels legally employed on the African coast, and therefore, he remarks, it becomes important that such vessels should not be put to any unnecessary inconvenience or detention. In this view he supposes that an American vessel, engaged in carrying liberated Africans to Liberia or to any other port of Africa, may on her voyage to or from the African coast fall in with a British cruiser, and unless the commander of the British vessel were assured that the vessel was engaged on a legal voyage she might suffer detention. So, on the other hand, his lordship supposes that a British vessel, engaged in transporting or fitted for the conveyance of liberated Africans from Sierra Leone or from St. Helena to another British colony, might suffer detention at the hands of the commander of an American cruiser, unless the commander were assured of the legality of the voyage of the British ship.

His lordship, pursuing the subject, next states that, with a view to provide for the exemption from seizure or detention of vessels legally fitted for the conveyance of Africans to or from the African coast, it is the intention of her Majesty's government to cause British vessels so employed to be provided with a passport or safe conduct, to be signed by one of her Majesty's secretaries, or by the governor of the British colony from which such vessel may have sailed, and that such passport or safe conduct will state the name, tonnage, and description of the vessel, and the name of the commander, and the purpose of the voyage, and will be good only for the voyage on which the vessel will be chartered.

His lordship finally proposes that this government shall furnish to American vessels which may be legally employed on the African coast, and whose equipment may render them liable to seizure and detention under the terms of the treaty, a similar passport or safe conduct, signed by a competent United States authority, and Earl Russell, on the part of her Majesty's government, guarantees that British cruisers shall not molest American vessels provided with such passports, and asks a similar guarantee to be given by this government to British vessels provided by their own government with passports in the manner before stated.

The propositions have been submitted to the President of the United States. You are authorized to inform Earl Russell that they are entirely and cheerfully accepted by this government. Passports or safe conducts in the cases specified will, until further notice, be signed only by the Secretary of State of the United States. Instructions proper for executing this new arrangement will be immediately given to the naval commanders concerned therein.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 197.]

LEGATION OF THE UNITED STATES,
London, July 31, 1862.

SIR: I have the honor to acknowledge the reception of despatches from the department numbered from 291 to 302, both inclusive; also, the two despatches numbered 281 and 287, heretofore noted as missing; also, two circulars, one in writing, enclosing a copy of the emancipation bill, as proposed in the message of the President, the other printed, containing directions to the legation in regard to charges for passports. And lastly, three printed copies of the treaty lately executed for the more effectual suppression of the slave trade.

This is the closing week of the session of parliament. Ministers indulged in the valedictory whitebait dinner yesterday, and nothing remains to be done but to perfect the details of the bill intended to give temporary relief to the operatives of the manufacturing districts during the continuance of the difficulty about cotton. It is announced that the Queen, after a brief sojourn in Scotland, is to visit the continent and spend the autumn in seclusion in Germany. So that, to all outward appearances, no expectation is entertained of the happening of any public event to vary the customary monotony of the amusements of the vacation. The speech of Sir George Cornwall Lewis, in the course of a debate last week about Canada, seemed to indicate a state of security against difficulty in America which, if well founded, would leave us nothing to desire. According to this representation, I should feel justified in making my calculations upon a considerable period of repose.

On the other hand, I cannot fail to perceive the progressive consolidation of the popular prejudice against America under the operations of the continuous denunciations of the London Times. The sympathies of the higher classes are decidedly enlisted in the struggle, not from any particular affection for either side, but from a longing to see the political power of the United States permanently impaired. The direction which this sentiment takes is naturally most in opposition to the government which aims to reinstate its authority. That it will embody itself in any form likely to dictate action, I do not venture to predict. Much will depend upon chance or the occurrence of some favorable opportunity. At present it remains inert, and rather looking out in the hope of movement from abroad than desirous to originate anything at home.

The constant cry is that the Emperor of France will interfere. The wish is so much the father to the thought that it is difficult to make people believe this ministry is not interposing much too stubbornly against the execution of his desire. If I am to credit the rumors that I hear from sources claiming to be of high authority, the Emperor has sent for Mr. Slidell and announced that he is ready to recognize the rebel States without the concurrence of England. But for the sake of courtesy he desires him to direct Mr. Mason to make a new application to the ministers, so as finally to test the determination here. These are stories which I trace pretty directly to the confederate emissaries themselves, who sedulously agitate this alternation of rumors between the two countries to serve their ends. Of the degree of credit to which they are entitled, you are in a position better qualified to judge than I. My object is simply to warn you of the prevailing temper which certainly desires interposition of some kind, and which, therefore, cannot be regarded as entirely prognosticating calmness and peace. Hence it must be remembered that however favorable the ministry here may now be to the maintenance of their declared policy, they are not in a condition to stand long in resistance to any popular outcry prompted by the concentrated passions of an agitated community. The experience of the case of the Trent is of too recent occurrence to make it necessary to seek further for an illustration of what I mean.

In this view it is impossible to over estimate the degree of influence that attaches to the operations of the war of America. The tendency being always to undervalue the progress of one party and to magnify the success of the other, it is of some importance to me to be possessed, as nearly as possible, of the precise position of things. I am, therefore, much indebted to you for the accounts regularly furnished to me, giving the latest information on the subject. An impression is sedulously given that General McClellan's force is practically annulled, and that the whole work of restoration is to begin anew. This is very much aided by the complete darkness that surrounds the situation of the rebels. The exaggeration so prevalent in all our own papers, both of their numbers and condition, is skilfully used against us to prove that whilst we are suffering they are in a state of comparative ease and comfort. How diametrically opposite to the actual facts is this assumption it is needless to point out. The imagination can, if rightly moved, cover up the most unsightly skeleton in the robes of an angel of light. I shall always be glad to be possessed of the means to dissipate these illusions. But in order so to do most effectually, it is indispensable that the information given me should not only be full, but explicit, as well in regard to the less as the more favorable aspects of the situation. The best item in your last seems to me to be that the President has determined once more to give military unity to the conduct of the war. The fatal experience of Napoleon, in giving separate commands to his officers in the war of the Peninsula, appears to be a standing lesson against the repetition of such mistakes.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 198.] LEGATION OF THE UNITED STATES,
London, July 31, 1862.

SIR: I have the honor to transmit copies of two more notes, which have been exchanged here since my last despatch, (No. 188,) touching the case of the United States steamer Saginaw and her warning to leave the port of Hong Kong.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *July* 25, 1862.

SIR: I have the honor to acknowledge the receipt of your letter of the 14th instant, in which you call attention to the circumstances under which the United States steamer Saginaw had been required to quit the harbor of Hong Kong, in compliance with the terms of her Majesty's proclamation of the 31st of January last. You draw at the same time a comparison between the course thus adopted towards the Saginaw and that which had been followed with regard to the Sumter, at Gibraltar.

I have, in reply, to observe that the difference between the circumstances of the two cases lies in the fact that the Sumter was in the waters of Gibraltar before the proclamation had been issued by her Majesty's government, whereas it appears that the Saginaw went to Hong Kong subsequent to its issue.

In framing the regulations contained in the proclamation her Majesty's government have acted on the principle of impartiality, but the effect has been greatly to the advantage of the United States cruisers and to the disadvantage of those of the confederate States.

I have the honor to be, with the highest considerations, sir, your most obedient humble servant,

RUSSELL.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, July 28, 1862.

MY LORD: I have the honor to acknowledge the reception of your note of the 25th instant, in answer to mine of the 14th, touching the case of the United States steamer Saginaw. In reply to my suggestion of a seeming difference of treatment experienced at Gibraltar in the case of the Sumter and at Hong Kong in the case of that vessel, your lordship remarks that it is to be attributed to the fact that the Sumter was in the waters of Gibraltar before the proclamation had been issued, whereas the Saginaw went to Hong Kong subsequently to its issue.

If by this it be understood that the date of issue of the proclamation in London is the rule applied to vessels happening to be at the most remote dependencies of Great Britain, I must admit that these two cases are not precisely parallel. My impression had been that that paper was not designed to have a retroactive operation, but that it went into effect, as is often the case in treaties, from the date of reception and notice by the local government of the distant colony to which it was to apply. In that view it would seem that the Saginaw had arrived at Hong Kong more than a fortnight prior to the issue of the governor's proclamation.

In making the representation respecting the case of the Saginaw it was not, however, my desire to raise this question as one of primary importance. I rather wished to point out the exceptional nature of the China seas, in which all commercial nations seem to have a common interest in rendering to each other, so far as possible, a mutual support.

I pray your lordship to accept the assurance of the highest consideration with which I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

The Right Hon. EARL RUSSELL.

Mr. Adams to Mr. Seward.

No. 199.]

LEGATION OF THE UNITED STATES,
London, July 31, 1862.

SIR: You must long before this have received all the information respecting the Laird gunboat, No. 290, for which you ask in your despatch No. 299, of the 12th of July. It only remains for me to continue the narrative of that transaction down to this date. In spite of all my efforts and remonstrances, which as yet wait the opinion of the law officers of the crown, I received on the 29th instant from Mr. Dudley, the consul at Liverpool, the news that she sailed without register or clearance from that port on that day. I immediately communicated the intelligence by telegraph to Captain Craven, at Southampton. I learn from the consul at that place that the Tuscarora sailed from thence at 8 p. m. on the 29th instant. Should the captain be so fortunate as to encounter the vessel on the high seas, I have every reason to believe that he will attempt her capture. But I have given him no instructions how far to pursue her, or what to do in case of failure. In these respects he is left entirely to his own discretion.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

[Extract.]

No. 201.]

LEGATION OF THE UNITED STATES,
London, August 1, 1862.

SIR: Yesterday I had a conference with Lord Russell at the foreign office, in the course of which I went over the various subjects whereupon I had received instructions in your late despatches. I propose to review them in the order in which they came up.

1. And first, I communicated to his lordship the substance of your despatch (No. 271) of the 7th of June, so far as it related to him and to your view of the action of the Spanish government towards Mexico. The reason why this has not been done before was, that it did not seem to make an object of itself sufficient to ask for it a special conference, and until now I had no others to join with it.

2. I read to his lordship the substance of your despatches Nos. 281 and 299 respecting the use made of the island of Nassau by the rebels, and the fitting out of the gunboats Oreto and 290. His lordship first took up the case of 290, and remarked that a delay in determining upon it had most unexpectedly been caused by the sudden development of a malady of the Queen's advocate, Sir John D. Harding, totally incapacitating him for the transaction of business. This had made it necessary to call in other parties, whose opinion had been at last given for the detention of the gunboat, but before the order got down to Liverpool the vessel was gone. He should, however, send directions to have her stopped if she went, as was probable, to Nassau. I said I was aware that the gunboat was off, but I did not say, what I myself have little doubt of, that her sudden departure was occasioned by a notion, obtained somehow or other, that such a proceeding was impending. I added an expression of satisfaction that the law officers of the crown had seen their way to give such an opinion, and that it was the disposition of her Majesty's government to do something to check this outrageous abuse. In this connexion I begged to ask if he had any information respecting the proceedings had at Nassau in the case of the Oreto. I had seen a statement in the newspapers, additional to the information contained in the despatch No. 281 which I had read to him, to the effect that the Oreto had been actually stopped and put under the guns of her Majesty's ship the Greyhound. I hoped this was true, for I thought the effect of such a proceeding would be very favorably viewed in America. His lordship replied that he had received no information on the subject beyond what I had referred to, which came from the American newspapers. With regard to the complaint against the island of Nassau, he could only say that he had received, a short time since, a letter, signed by many commercial people in Liverpool and elsewhere, remonstrating against the virtual blockade of that island by United States war vessels, and the subjection of many innocent British ships to the inconveniences of detention and search as if engaged in illegitimate trade. To this representation he had written a reply, stating that however much the inconveniences mentioned were to be regretted, it was not the disposition of the government to afford protection to any parties that might be engaged in undertakings in violation of her Majesty's proclamation; and when there was reason to suppose that such adventures might be carried on, it was difficult to raise objections to the right of examination. His lordship added that he had expected both the letter and his answer would have been published before this by parties concerned, but they had not thought fit to do so. I replied that they knew too much to be caught doing that, but I should take pleasure in communicating this fact to my government. Any and all evidence which I could obtain of a disposition, on the part of her Majesty's ministers, to discountenance the notorious and flagrant abuses of neutrality, now every day committed by British subjects, would be of great use to counteract the strong popular feeling in America growing up on account of them. We had every reason to believe that these war vessels were intended to prey directly upon our commerce, and most particularly to intercept the steamers bearing treasure to New York from California. Should one of those steamers be taken in consequence of the omission to stop these outfits in British ports, the excitement that it would create in America would be very great. Disposed, as I had always been,

to cultivate friendly relations between the two countries, I could not but look with much uneasiness upon all events which might tend to affect them unfavorably. His lordship said that he could not at once say whether it was proper to furnish copies of the correspondence alluded to or not, but I was welcome to mention the facts, and very probably he might send me the copies.

3. Next, I opened the matters of the proposed consulate at Salmon Bay, as presented in your despatch (No. 292) of the 9th of July. I read to his lordship the substance of that paper, and submitted the whole subject to his consideration without further remark. He took a note of the tenor of it, and promised that it should receive early consideration.

4. Lastly, I read to his lordship the despatch No. 296, relating to the claim of Mr. Herran for the fulfilment of the guarantee to New Granada to protect the transit on the Isthmus of Panama. I observed that it must be obvious that the government of the United States could not desire just at this time to enlarge the field of operation for its forces; hence that its performance of this obligation would necessarily depend only upon a full conviction of its imperative character. On that point it would be glad to consult with other powers most interested in the transit, which it was the object to preserve. His lordship seemed already well informed of the facts in the case. He said that he did not yet perceive the contingency to have occurred which called for interposition. It was true that General Mosquera was in occupation of the territory in resistance to the Granadian government. Such things were happening all the time in South America. But there had been no attempt, so far as he knew, to obstruct the free transit across the isthmus, nor did he understand that any disposition had been shown to do so. Until there should be some manifestation of the sort, any demonstration might have the appearance of interposing to effect a different purpose. His lordship added that, on the happening of an actual derangement of the communication, the British goverment would readily co-operate with the United States in the measures that might be thought necessary to make good the privileges secured by the guarantee.

I believed this closed all the topics to which it had been made my duty especially to call his lordship's attention. I then took my leave of him, probably for the season, as he spoke of his departure from town next week, and mentioned that the under secretary would, in his absence, attend to the transaction of any business that I might have occasion to propose.

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I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 202.]

LEGATION OF THE UNITED STATES,
London, August 1, 1862.

SIR: I forgot, in my report of my conference with Lord Russell yesterday, to allude to an incidental matter to which he requested me to call your attention. He said that a bill for the further execution of the late treaty in suppression of the slave trade had been passed by Parliament, and the government was about to fill the places contemplated in the commission at New York. He wished to know if I had any information as to corresponding action taken in America. I replied in the negative, as from any official sources. But I had seen in the newspapers some reference to a contemplated appointment under the same commission. His lordship said he should be glad to have me mention the subject to you.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

[Extracts.]

No. 314.]

DEPARTMENT OF STATE,
Washington, August 2, 1862.

SIR : * * * * * * * * *

It is indeed manifest in the tone of the speeches, as well as in the general tenor of popular discussions, that neither the responsible ministers, nor the House of Commons, nor the active portion of the people of Great Britain sympathize with this government, and hope, or even wish for its success in suppressing the insurrection ; and that, on the contrary, the whole British nation, speaking practically, desire and expect the dismemberment of the republic. I cannot deny that these sentiments must insensibly influence the administration, and give its policy a hostile direction. But these sentiments are, after all, in a great measure speculations ; and they may very well exist, and yet the government, and certainly the people of Great Britain, may be entirely unprepared by any responsible action to attempt to precipitate a change here whose consequences may be momentous, even to themselves. I well recollect that with what seemed to us far better motives, Great Britain recently wished and expected the separation of Hungary and of Venice from Austria ; and yet the government passively looked on, and saw the revolutions designed to effect those ends languish and perish. It is a proverb that the earth is full of good but unexecuted intentions. Happily for human society, the proportion of evil intentions unfulfilled is equally great. Indeed, we can hardly be surprised at the disposition and the tendencies upon which I am dwelling, unless we shall persist, after so much opposing evidence, in our early error of conceding to Great Britain a degree of magnanimity which she herself does not even affect to claim, and which, perhaps, has never yet been exhibited by any nation. We cannot forget that we are a younger branch of the British family ; that we have not been especially reverential of the senior branch, and have even been ambitious to surpass it in wealth, power, and influence among the nations. To these facts it is to be added that, in the very heat of competition, we have broken, have abandoned the course, and have divided ourselves into suicidal factions. The success of the insurgents would make it sure that the race could never be resumed, while the triumph of the government would probably reanimate the national ambition once more. At this moment we have encountered an unexpected reverse, which encourages our eager enemies, wherever they may be, to hope for our signal and complete overthrow. Did ever any nation, at once so presumptuous, yet so unwise, and so apparently unfortunate, secure the absolute forbearance of a rival it had boldly challenged ? Certainly not, and therefore I reckon not upon any sentimental forbearance of the British government. The American people understand, as well as their government does, that none is to be expected or even desired. Still the disfavor of Great Britain is inherently illiberal; and happily the unwarrantable and too unreserved exhibition of it naturally rouses the American people to a sense of their danger, and tends to recall them from unworthy domestic strife to the necessity of regaining the national prestige they have so unwisely lost. Allowing now British prejudice and passion their full effect, the government of Great Britain must, nevertheless, be expected to act with a due regard to the safety, honor, and welfare of the British empire. Great Britain is at peace with the whole United States, and practically with the whole world. Manufactures and commerce do, indeed, suffer derangement and abatement in consequence of our civil war. This war, however, like every other, must come to an end in some way, and at some not distant time, if she continue to stand aloof; and when that end shall have come, whatever its nature may be, she will enjoy, at least, all the benefits that she could in any event obtain by intervention to compel a peace. Is it probable that her intervention would mitigate the war, or alleviate the embarrassment she is suffering from it? The question seems to involve a preliminary one, namely: what is to be the character of her intervention? Is it to be merely a moral one, or an act of recognition, with a declaration of neutrality, but not respecting our blockade, and not refraining and restraining her subjects from violating it? Shall we not, in that case, be justified in withdrawing the relaxation of the blockade we have already made, and in closing the ports we have opened to her commerce? If we should do this, would her recognition of the insurgents shorten the war, or would it alleviate the embarrassment she suffers from it? But it may be answered that she would not consent to surrender these concessions, and would resort to force to save them. Then Great Britain would violate belligerent rights allowed us by the law of nations, and would become an ally of our domestic enemies; and then she would be at war with us while, at least, some other commercial state would be maintaining towards us relations of neutrality and peace. Would Great Britain profit by a war with us? Certainly neither nation could profit by the war while it should be in actual operation. But it is said she might divide and conquer us. What would she gain by that? Would the whole or any part of the United States accept her sovereignty and submit to her authority? The United States, under their present organization and Constitution, must always be a peaceful nation, practically friendly to Great Britain, as well as to all foreign states, and so they must always be conservative of the peace of nations. Let this organization be struck down by any foreign combinations, what guarantee could Great Britain then have of influence or favor, or even commercial advantage to be derived from this country? Even if this nation, after having lost its liberties and its independence, should remain practically passive, who is to restrain the ambitions of European states for influence and dominion on this side of the Atlantic; and how long, under the agitation of such ambitions, could Europe expect to remain in peace with itself? But what warrant have the British government for expecting to conquer the United States, and to subjugate and desolate them, or to dictate to them terms of peace. A war urged against us by Great Britain could not fail to reunite our people. Every sacrifice that their independence could require would be cheerfully and instantly made, and every force and every resource which has hitherto been held in reserve in a civil war, because the necessity for immediately using it has not been felt, would be brought into requisition. I shall not willingly believe that Great Britain deliberately desires such a war, as I am sure that every honorable and generous effort will be made by the United States to avoid it.

In the second place, I observe that apprehensions of a change of attitude by Great Britain are built in some degree upon the supposed probability that very serious reverses to the national cause may occur. None such, however, have yet occurred. We cannot and do not pretend to reckon upon the chances of a single battle or a single campaign. Such chances are, perhaps, happily beyond human control and even human foresight. But the general course of the war and its ultimate results are subjects of calculation, on a survey of forces and circumstances with the aid of experience. We cheerfully leave the study of the probabilities of this war, in this way, to all statesmen and governments whom it may concern, declaring for ourselves that while we apprehend no immediate danger to the present military condition, the most serious reverses which can happen will not produce one moment's hesitation on the part of the government or the people of the United States in the purpose of maintaining the Union, or sensibly shake their confidence in a triumphant conclusion of the war.

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I shall not here add to the explanation which I have made on other occasions of our means and resources for meeting a final trial of the national strength and the national virtue. Rather than do this, I willingly turn away from the spectacle of servile war and war abroad—of military devastation on land, and of a carnival of public and private cupidity on the seas, which has been presented to me—to set down with calmness some reflections calculated to avert an issue so unnecessary and so fatal, which you may possibly find suitable occasion for suggesting to the rulers of Great Britain. For what was this great continent, brought up, as it were, from the depths of what before had been known as "the dark and stormy ocean?" Did the European states which found and occupied it, almost without effort, then understand its real destiny and purposes? Have they ever yet fully understood and accepted them? Has anything but disappointment upon disappointment, and disaster upon disaster, resulted from their misapprehensions? After near four hundred years of such disappointments and disasters is the way of Providence in regard to America still so mysterious that it cannot be understood and confessed. Columbus, it was said, had given a new world to the kingdoms of Castile and Leon. What has become of the sovereignty of Spain in America? Richelieu occupied and fortified a large portion of the continent, extending from the Gulf of Mexico to the Straits of Belleisle. Does France yet retain that important appendage to the crown of her sovereign? Great Britain acquired a dominion here surpassing, by an hundred fold in length and breadth, the native realm. Has not a large portion of it been already formally resigned? To whom have these vast dominions with those founded by the Portuguese, the Dutch, and the Swedes, been resigned but to American nations, the growth of European colonists, and exiles who have come hither bringing with them the arts, the civilization, and the virtues of Europe? Has not the change been beneficial to society on this continent? Has it not been more beneficial even to Europe itself than continued European domination, if it had been possible, could have been? The American nations which have grown up here are free and self-governing. They have made themselves so from inherent vigor and in obedience to an absolute necessity. Is it possible for European states to plunge them again into a colonial state and hold them there? Would it be desirable for them and for Europe, if it were possible? The balance of power among the nations of Europe is maintained not without numerous strong armies and frequent conflicts, while the sphere of political ambition there is bounded by the ocean which surrounds that continent. Would it be possible to maintain it at all if this vast continent, with all its populations, their resources, and their forces, should once again be brought within that sphere. If we, who rightfully dwell on this continent, with all the inducements to peace, harmony, and good order which so fortunate a position creates, cannot remain at peace among ourselves, even when free from foreign interference, does Europe expect that we will be reduced and kept in the harmony which her interests require when the jealousies and ambitions of all Europe are engrafted upon the stock of our native dissensions? Again: Spain undertook to plant and establish here a system of Indian slavery, with what success I need not answer. Portugal, Spain, and Great Britain, with more labor, wealth, and consummate skill, undertook to establish African slavery. It has perished from the whole continent except Brazil and the United States. Now, when the social system of the United States is convulsed with the agony of slavery here, is it desirable that slavery should be revived and perpetuated, and the republic perish for refusing it unbounded expansion and duration? Is it wise for Europe to attempt to rescue slavery? Is it possible, if the attempt shall be made? On the contrary of all these suppositions, is it not manifest that these American nations were called into existence to be the home of freemen; that the states of Europe have been trusted by Providence with their tutelage, but that tutelage and all its responsibilities and powers are necessarily withdrawn to the relief and benefit of the parties and of mankind when these parties become able to choose their own system of government and to make and administer their own laws? If they err in this choice, or in the conduct of their affairs, it will be found wise to leave them, like all other states, the privilege and responsibility of detecting and correcting the error by which they are, of course, the principal sufferers.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

[Extract.]

DEPARTMENT OF STATE,
Washington, August 4, 1862.

No. 316.]

SIR: * * * * * * * *

You will receive herewith a correspondence which has taken place between Major General Butler and Mr. Johnson, which is the fruit of the suggestions informally made to that officer and General Shepley, by the President's direction, through the commission which was sent to New Orleans on the opening of trade there. It may be well to communicate this correspondence to Earl Russell, and say that the policy of General Butler is approved.

I learn from Mr. Stuart that Earl Russell complained to him that the mission of Mr. ——— seemed to his lordship an evasion of the suggestion he had made to me in regard to a declaration that cotton bought by neutrals should not be confiscated. This is unjust on the part of Earl Russell. Mr. ———'s mission was directed, and he was on his way before the earl's suggestion was received. It may be well to set this matter right also, but you will not make the explanation in any spirit of complaint.

I send you a note from General Halleck, showing how cotton is coming through Columbus. On the whole, I believe that the cotton trade will now revive quite as rapidly as has been at any time anticipated.

It will, I think, be well to communicate the matters contained in this despatch verbally and informally, but you may give copies of General Butler's and General Halleck's correspondence.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 318.]

DEPARTMENT OF STATE,
Washington, August 4, 1862.

SIR: I have received your despatch (No. 187) of the 17th ultimo, and its accompaniments, relative to the repairing of the Tuscarora at Southampton, and to the gunboat, supposed to be intended for the insurgents, which is under construction at Liverpool.

Your proceedings in these matters are entirely approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 203]

LEGATION OF THE UNITED STATES,
London, August 7, 1862.

SIR: In my despatch (No. 199) of the 30th of July I brought down the narrative of the proceedings in the case of the gunboat No. 290 to the morning of the 29th. Later in the day I sent another telegram to Captain Craven, giving further intelligence from Liverpool, urging his departure from Southampton, also that he should let me know his next movements, and cautioning him about the line of British jurisdiction. To this message the captain immediately replied, announcing his departure at 8 o'clock, and his intention to touch at Queenstown for further information. On the 30th of July I wrote to Captain Craven, by mail to Queenstown, giving fuller details, received at half-past eleven o'clock from Mr. Dudley, touching the movements of the gunboat off Point Lynas on that day. Early on the morning of the 31st I sent a telegram to Captain Craven, at Queenstown, apprising him that 290 was said to be still off Point Lynas. At about 10 o'clock p. m. of that evening I received a telegram from Captain Craven, dated at Queenstown, announcing his reception of my despatch and his intention to await further instructions. This was answered by me early the next morning in the following words, by telegram:

"At latest, yesterday, she was off Point Lynas; you must catch her if you can, and, if necessary, follow her across the Atlantic."

On the same day I received by mail a note from Captain Craven, dated the 31st, announcing the receipt of my despatches and his decision to go to Point Lynas at noon on the 1st instant.

Captain Craven seems to have sailed up St. George's channel. This last movement must have been made in forgetfulness of my caution about British jurisdiction, for, even had he found No. 290 in that region, I had, in previous conversations with him, explained the reason why I should not consider it good policy to attempt her capture near the coast. In point of fact, this proceeding put an end to every chance of his success.

On the 5th instant I received a letter from him, dated the 4th, at Queenstown, enclosing a report of his doings, addressed to the Secretary of the Navy, left open for my inspection, which I forward by this steamer, and at the same time apprising me of his intention to go round to Dublin and await a letter from me prior to his return to his station at Gibraltar. To this I sent the following reply:

"LEGATION OF THE UNITED STATES,
"*London, August* 6, 1862.

"SIR: I will forward your letter to the Secretary of the Navy. Having in my hands sufficient evidence to justify the step, I was willing to assume the responsibility of advising you to follow the boat No. 290 and take her wherever you could find her. But I cannot do the same with other vessels of which I have knowledge only from general report. I therefore think it best that you should resume your duties under the general instructions you have from the department, without further reference to me."

It may have been of use to the Tuscarora to have obtained repairs at Southampton to put her in seaworthy condition. But had I imagined that the captain did not intend to try the sea, I should not have taken the responsibility of calling him from his station. I can only say that I shall not attempt anything of the kind again.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 205.]

LEGATION OF THE UNITED STATES,
London, August 7, 1862.

SIR: In my despatch (No. 201) of the 1st instant, it may be recollected that I reported Lord Russell as making a conditional promise to furnish me with a copy of his letter to the Liverpool merchants, about the uses made by them of the port of Nassau. On the evening of the 4th instant I received a note transmitting the copy, but with a restriction that it was given in confidence. The next day, however, I received a Liverpool newspaper, in which the letter seems to have been inserted by the parties to whom it was addressed. Since then it has appeared in all the London papers. I therefore feel myself at liberty to transmit a copy of Lord Russell's note and of its enclosure.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

[Confidential.]

FOREIGN OFFICE, *August* 4, 1862.

Lord Russell presents his compliments to Mr. Adams, and has the honor to forward to him herewith, confidentially, for his information, a copy of a letter which Lord Russell caused to be addressed to Mr. Horsfall in reply to a memorial forwarded by him from certain British merchants and ship-owners in Liverpool respecting the proceedings of the United States cruisers off the Bahamas.

Mr. Layard to Mr. Horsfall.

FOREIGN OFFICE, *July* 5, 1862.

SIR: I am directed by Earl Russell to acknowledge the receipt of your letter of the 2d instant, enclosing a memorial from certain British merchants and ship-owners at Liverpool, in which they state that they view with considerable anxiety and apprehension the hostile attitude assumed by federal cruisers in the Bahama waters, and the memorialists pray that steps may be taken by her Majesty's government to protect British shipping in those waters, and to put a check on the seizures so repeatedly made by the federal cruisers.

I am to state to you, in reply, that it is alleged on the other hand by Mr. Seward and Mr. Adams that ships have been sent from this country to America with a fixed purpose to run the blockade; that high premiums of insurance have been paid with this view, and that arms and ammunition have been thus conveyed to the southern States to enable them to carry on the war. Lord Russell was unable either to deny the truth of those allegations or to prosecute to conviction the parties engaged in those transactions. But he cannot be surprised that the cruisers of the United States should watch with vigilance a port which is said to be the great entrêpot of this commerce.

Her Majesty's government have no reason to doubt the equity and adherence to legal requirements of the United States prize courts. But he is aware that many vessels are subject to harsh treatment, and that, if captured, the loss to the merchant is far from being compensated even by a favorable decision in a prize court.

The true remedy would be that the merchants and ship-owners of Liverpool should refrain from this species of trade. It exposes innocent commerce to vexatious detention and search by American cruisers; it produces irritation and ill-will on the part of the population of the northern States of America; it is contrary to the spirit of her Majesty's proclamation; and it exposes the British name to suspicions of bad faith, to which neither her Majesty's government nor the great body of the nation are justly obnoxious.

It is true, indeed, that supplies of arms and ammunition have been sent to the federals equally in contravention of that neutrality which her Majesty has proclaimed. It is true, also, that the federals obtain more freely and more easily that of which they stand in need. But if the confederates had the command of the sea they would no doubt watch as vigilantly and capture as readily British vessels going to New York as the federals now watch Charleston and capture vessels seeking to break the blockade.

There can be no doubt that the watchfulness exercised by federal cruisers to prevent supplies reaching the confederates by sea will occasionally lead to vexatious visits of merchant ships not engaged in any pursuit to which the federals can properly object. This, however, is an evil to which war on the ocean is liable to expose neutral commerce, and her Majesty's government have done all they can fairly do, that is to say, they have urged the federal government to enjoin upon their naval officers greater caution in the exercise of their belligerent rights.

Her Majesty's government having represented to the United States government every case in which they were justified in interfering, have only further to observe, that it is the duty of her Majesty's subjects to conform to her Majesty's proclamation, and to abstain from furnishing to either of the belligerent parties any of the means of war, which are prohibited to be furnished by that proclamation.

I am, sir, &c.,

A. H. LAYARD.

T. B. HORSFALL, Esq., *&c.*, *&c.*, *&c.*

[Circular—No. 19.]

To the diplomatic and consular officers of the United States in foreign countries.

DEPARTMENT OF STATE,
Washington, August 8, 1862.

At no former period of our history have our agricultural, manufacturing, or mining interests been more prosperous than at this juncture. This fact may be deemed surprising in view of the enhanced price for labor, occasioned by the demand for the rank and file of the armies of the United States. It may, therefore, be confidently asserted that, even now, nowhere else can the industrious laboring man and artisan expect so liberal a recompense for his services as in the United States. You are authorized and directed to make these truths known in any quarter and in any way which may lead to the migration of such persons to this country. It is believed that a knowledge of them will alone suffice to cause them to be acted upon. The government has no legal authority to offer any pecuniary inducements to the advent of industrious foreigners.

WILLIAM H. SEWARD.

[Circular—No. 18.]

To the diplomatic and consular officers of the United States in foreign countries.

DEPARTMENT OF STATE,
Washington, August 8, 1862.

It is expected that, until further notice, you will not issue a passport to any citizen between the ages of eighteen and forty-five, and otherwise liable to the performance of military duty, who you may have reason to suppose shall have left the United States subsequently to this date.

WILLIAM H. SEWARD.

Mr. Seward to Mr. Adams.

No. 319.]

DEPARTMENT OF STATE,
Washington, August 8, 1862.

SIR: Your despatch of July 24 (No. 193) has been received. I have anticipated and have already, as I think, met by previous instructions the re-enforcement of prejudices in Great Britain against the cause of the government and of the country resulting from the disappointment of our first demonstrations against Richmond.

I have nothing more to add to those instructions, except to inform you that since their date the reorganization and distribution of our forces have been going on quietly and, I believe, skilfully, with a view to decisive operations; that the three hundred thousand volunteers called for are now coming forward with such alacrity as will probably enable us to dispense with the projected draft, and that the other three hundred thousand provided for by draft will be in the field as soon as they shall be needed. The soldiers of the United States will then be near a million in number. Our naval preparations are going forward with vigor, and I trust that we shall not be unready for any emergency that can happen at home or abroad. The question of the status of the inhabitants in the disloyal States will be speedily resolved as the army advances through their territories, which, perhaps, is as fast as public opinion in the loyal States will ripen to receive it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

[Extracts.—Confidential.]

No. 322.]

DEPARTMENT OF STATE,
Washington, August 13, 1862.

SIR: Your despatch of July 31 (No. 197) has been received.

I remark, with reference to the reports circulated by American traitors in London that the Emperor of the French proposes to recognize the insurgents without waiting for any new combinations, that there is nothing to confirm these reports in any communication, official or unofficial, which has been received by us from Paris. We learn from that capital that there, as in England, sentiments unfavorable to our cause and our country seem to be gaining more general favor under the inculcations of a hostile press.

In all his communications with this government the Emperor of the French has preserved a tone that was frank, friendly, and respectful, letting us understand, however, that a strong pressure upon the government was made by classes which attributed their sufferings to a deficiency of a supply of cotton. The statement by disunionists that the Emperor has directed Mr. Slidell to instruct Mr. Mason to make another formal appeal to Earl Russell preliminary to his own separate and exclusive action seems improbable. Could the cupidity of British merchants resist the temptation to keep peace with us if France should go to war alone? Could France propose to go to war with us without Great Britain as an ally? Is France more ready for hazards of war than Great Britain?

While we are making ourselves ready, as far as possible, for whatever emergency may happen in our foreign relations, and while we sensibly feel that the present apparent condition of suspended activity in our military operations tends to encourage hostile machinations abroad, we nevertheless rely with much confidence on other circumstances for a continuance of peace and forbearance

First. All the world knows that we shall not entertain any foreign mediation in our domestic affairs; this decision was made known at an early period, and if we have not repeated it with emphasis, it has been because such repetitions would seem disrespectful to foreign powers, and would be inconsistent with the proper dignity of this government.

Secondly. We are supplying Europe with grain and gold, and even cotton, to the best of our ability, and no one can safely predict that equal supplies could be obtained here or elsewhere if the maritime powers should wage or provoke a war with this government.

Thirdly. Our preparations for continuing the war are vigorous and successful. On the 15th of this month we shall have enlisted and coming into the field three hundred thousand new volunteers for the war, and within forty days thereafter this force will be followed by three hundred thousand militia, who will be organized as volunteers and will be not less effective.

The construction of iron-clad ships is going on, on a scale and with a vigor that promises as complete a naval defence as any other nation possesses.

* * * *

When I have told you of our large preparations, I have told you all that is important to be known, except that General Halleck evinces great skill, activity, and grasp, in reorganizing our forces for renewing military operations. Richmond is at this moment the centre of our anxieties. Our plans for operations against it are not so settled and decisive as to allow me to communicate them, for the reason that they may be modified by discoveries of the plans of the insurgents. General Pope had on Saturday, the 9th, a successful engagement with a portion of the insurgent army. There is every reason to expect important military occurrences, and, perhaps, a development of the plan for a new campaign before the departure of the next steamer.

All that can be said now is, that the popular spirit is sound, and we expect that the tone of public confidence will be highly improved as the new levies, now moving from their homes, reach and join and re-enforce the apparently sedentary forces in their camps.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 323.]

Department of State,
Washington, August 13, 1862.

Sir: Your despatch of August 1 (No. 201) has been received.

Your proceedings in conveying to Earl Russell the explanations concerning the Mexican question, heretofore confided to you, are approved.

So also is the action you have taken in regard to the piratical vessels Oreto and 290, and our protest against the perversion of the neutral privileges of the island of Nassau. You will, on proper occasion, make known to Earl Russell the satisfaction which the President has derived from the just and friendly proceedings and language of the British government in regard to these subjects. When we consider how soon this insurrection would wither and die when deprived of the sympathies of the British nation and the hope of aid which those sympathies, now so active, have awakened; how soon commerce would revive; how beneficent, as well as how soothing, to the British nation the restoration of our domestic peace must necessarily be; and what hopes for the British race everywhere, and even for civilization itself, are treasured up in a necessary harmony and co-operation of the distinct families of that race, found on every continent and on so many islands, it seems impossible to account for the hostile disposition of a portion of the British people toward the United States, except on the ground of an unnecessary jealousy, which is feeding an unwise and unnatural ambition.

Your communication with Earl Russell on the subject of New Granada, and especially the Isthmus of Panama, including the views expressed by him, are entirely satisfactory to the President.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 324.]

Department of State,
Washington, August 14, 1862.

Sir: Your despatch of July 31 (No. 198) is before me. I confess my surprise at the hesitation of the British government in regard to admitting our cruisers into their ports in China. The Chinese are engaged in civil war, which threatens the safety not only of all western commerce but of the foreign residents of whatever country in China. Practically, and by force of circumstances, we are allies with the British in protecting this commerce and all those residents against the belligerent parties; there never has been, and I feel quite assured that there never will be, an insurgent American vessel of any kind in the Chinese seas. The exclusion of our vessels, therefore, seems unnecessary upon any ground that the British government has assumed, while it is injurious to Great Britain and other western nations, as well as the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 326.]

Department of State,
Washington, August 15, 1862.

Sir: Complaints having been made through Mr. Stuart, her Britannic Majesty's chargé d'affaires here, of the exaction of bonds on merchandise exported from New York for Nassau, explanations upon the subject have been requested of the Secretary of the Treasury.

A copy of a letter of the 9th instant, from Mr. Barney to Mr. Chase, is herewith enclosed, which contains those explanations. You may, if you deem it necessary or proper, communicate a transcript of the same to Earl Russell.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

[Circular—No. 20.]

DEPARTMENT OF STATE,
Washington, August 18, 1862.

SIR: Ideas of appeal, mediation, and intervention seem to hold their place in the European mind, although their novelty has long since worn off. Our representatives abroad, therefore, under the apprehension that some form of interference may be attempted or adopted, frequently and urgently ask for information concerning the purposes of this government.

No foreign state has at any time communicated or intimated to us, in any way, a design, or even a disposition, to take a new attitude in regard to our domestic affairs. Generally the communications which we have received have been marked with directness and frankness. It would, therefore, imply an unbecoming and even unreal distrust on our part to assume that any hostile intentions are indulged by the maritime powers of Europe.

On the other hand, this government can at no time forget that foreign intervention is the inevitable result of long-continued domestic strife; nor can we forget that the existing attitude of all those powers was assumed without their having given us any previous notice; that it is anomalous, and, although unintentionally so, it is nevertheless practically unfriendly and injurious. The government, moreover, cannot affect to be ignorant that disloyal citizens of the United States are abroad, and that parties and masses are agitating Europe to induce or oblige its governments to intervene. Beside these circumstances, it must be remembered that the prosecution of civil war is attended by accidents which beget misapprehensions and excite passions and prejudices in foreign states. It is therefore our duty to act as if we supposed that some of the maritime powers, although they are not indeed waiting upon occasion, may yet, upon some unexpected vicissitude, be found directly or indirectly allied and co-operating with our internal enemies.

I think that the instructions which have issued from this department have not left our representatives any room to doubt that it is the determination of the government to defend the integrity of the country and maintain the Union, under all circumstances and against all who in any case may assail them. I think, moreover, that the magnitude and the character of our land and naval preparations indicate the same determination, which is the result, not of variable impulses, but of fixed convictions and unchangeable principles.

Formal declarations of a policy, clearly enough revealed without them, are unnecessary and generally injudicious, because they provoke needless and often embarrassing criticism and debate.

Our representatives abroad are nevertheless entitled to understand, and sometimes it may be profitable for them to know, the grounds upon which a fixed and important policy is pursued.

While the nation is convulsed with a civil strife of unexampled proportions, it would be presumptuous, perilous, and criminal to court or provoke foreign wars. Reviewing the whole course of the existing administration, I may safely claim that it shows that, even if the government had been left at liberty to conduct its foreign relations, altogether irrespectively of the civil war, it would yet have chosen and maintained a policy of peace, harmony, and friendship towards all nations. It is certainly our especial care, under existing circumstances, to do no injustice, to give no offence, and to offer and receive explanations in a liberal spirit whenever they are possible, and thus to make sure that if, at any time, either accidentally or through the intrigues of the insurgents, we shall incur the misfortune of collision with foreign states, our position will then be one of pure and reproachless self-defence.

The nation has a right, and it is its duty, to live. Those who favor and give aid to the insurrection, upon whatever pretext, assail the nation in an hour of danger, and therefore they cannot be held or regarded as its friends. In taking this ground, the United States claim only what they concede to all other nations. No state can be really independent in any other position.

Willing, however, to avert difficulties by conciliatory explanations, we frankly confess to the conviction that either the insurrection must be subdued and suppressed or the nation must perish. The case admits of no composition. If we have no fear of failure, it is because we know that no other government than this could stand in this country, and that permanent dismemberment of it is impossible. The principal masses of the population are content with the present system, and cannot be brought to oppose or to surrender it. The faction which is attempting to destroy it, although infatuated and energetic, is, relatively to the whole people, an inconsiderable one. The natural highways of the country, extended sounds and lakes, and long, widely branching rivers, combined with its artificial roads, are bonds which can neither be removed nor permanently broken by any mere political force whatsoever. The so-called Gulf States need the free use of all these highways, and those who dwell upon their borders will not consent to be shut out from the ocean. The wealth and patronage of the whole nation are needful to perfect civilization on the Pacific coast, and the Atlantic States must forever derive protection and support from the recesses of the continent. Those who are attempting to break up the Union must either substitute new commercial and social connexions for the highways now existing, or they must invent and establish a new political system which will preserve them. Nature opposes the former project. The wit of man fails to suggest not merely a better political system, having the same objects as the present Union, but even any possible substitute for it.

If it be said that these arguments are disposed of by the fact that civil war has occurred in defiance of them. I answer that the civil war is not yet ended. If it be replied that at least there is a manifest danger of dissolution of the Union, I rejoin that the occurrence of the civil war at most proves only that in this country, as in every other, it is possible for faction to interrupt the course of civil administration and to substitute anarchy for law. I do not know that any wise man has ever doubted that possibility. Sedition is, as I suppose, a vice inherent and latent in every political state. But the condition of anarchy is not only anomalous but necessarily a transient one. I do not pretend to say how long the deplorable disturbances now existing here may continue, nor what extreme the anarchy which prevails in the southern part of the country may reach. It may be that the storm may continue one or more years longer, and that there may be a dissolution of society in that unhappy region. But after such a convulsion every state requires repose and again seeks peace, safety, and freedom ; and it will have them, if possible, under the political system which is best adapted to those ends. Alexander, Cæsar, and Napoleon, each in his time cast down established states and substituted new ones in their places. Yet the hand that made the violent change had hardly been withdrawn when the subverted states reappeared, standing more firmly than before on their ancient foundations.

It is freely admitted that the salvation of the Union depends on the will and the choice of the American people, and that they are now engaged in a fierce conflict upon that very question. But sooner or later there must come a truce, because civil war cannot be indefinitely endured. Will there then be reconciliation? It cannot happen otherwise. When such a time arrives, any society will prefer the attainable to the unattainable object, the greater to the lesser advantage, and will bury every domestic difference to save itself from the worst of all political evils—foreign conquest and domination. The object of the insurgents is the fortifying and extending of African slavery. Is the object, under existing circumstances, really attainable? Is it not becoming more manifestly impossible every day that the war is prolonged? Is even the continuance of slavery itself worth the sacrifices which the war has brought? It is assumed that the insurgents, however erroneously, are determined upon that point. I reply, that it is always a class, or a sect, or a party, and not the whole country, that provokes or makes civil war, but it is not the same class or sect or party, but the whole country that ultimately makes the peace; and hence it has happened that hardly one out of a hundred attempted revolutions has ever been successful. Is not this the instruction of the civil wars of England, France, and San Domingo?

The consideration that this is a republican state has been heretofore impressed upon the correspondence of this department, and it cannot be too steadily kept in view by our representatives in Europe. Precisely because it is both a federal and a republican state, with its cohesion resulting from the choice of the people in two distinct processes, the nation must cease to exist when a foreign authority is admitted to any control over its counsels. It must continue to be jealous of foreign interventions and alliances, as it always heretofore has been.

The nation, moreover, is an American one. It has maintained pleasant and even profitable intercourse with the states of the eastern continent; but it nevertheless is situated in a hemisphere where interests and customs and habits widely differing from those of Europe prevail. Among these differences this one at least is manifest: we neither have sought, nor can we ever wisely seek, conquests, colonies, or allies in the Old World. We have no voice in the congresses of Europe, and we cannot allow them a representation in our popular assemblies. All of the American States once were dependencies of European powers. The fact that it is necessary to discuss the subject of this letter sufficiently proves that even if those powers have relinquished all expectation of recovering a sway here that was so long ago cast off, yet the American nations have nevertheless not realized their safety against European ambition. For this reason, also, we must be left by foreign nations alone, to settle our own controversies and regulate our own affairs in our own American way.

If the forbearance we claim is not our right, those who seek to prevent our enjoyment of it can show the grounds upon which foreign intervention or mediation is justified.

Will they claim that European powers are so much more enlightened, more just, and more humane than we are, that they can regulate not only their own affairs but ours also, more wisely, and more beneficially than we have done? How and where have they proved this superiority?

I cannot avoid thinking that the ideas of intervention and mediation have their source in an imperfect conception in Europe of the independence of the American nation. Although actual foreign authority has so long passed away, yet the memory of it, and the sentiment of dictation, still linger in the parental European states. Perhaps some of the American nations have, by their willingness to accept of favors, lent some sanction to the pretension. But certainly this will not be urged against the United States.

We have too many proofs that our independence is by no means pleasing to portions of European society. They would, however, find it difficult to justify their dislike. That independence was lawfully won, and it has been universally acknowledged.

Is our peculiar form of government an offence? It was chosen by ourselves and for our own benefit, and it has not been enforced by us, nor can it in any case be enforced, upon any other people. Our own experience has proved its felicitous adaptation to our condition, and the judgment of mankind has pronounced that its influences upon other nations are beneficent. The severest censure has found no defect in it, except that it is too good to endure.

What plea for intervention or mediation remains? Only this, that our civil war is inconvenient to foreign states. But the inconvenience they suffer is only incidental, and must be brief; while their intervention or mediation might be fatal to the United States. Are not all civil wars necessarily inconvenient to foreign nations? Must every state, when it has the misfortune to fall into civil war, forego its independence and compromise its sovereignty because the war affects its foreign commerce? Would not the practice upon that principal result in the dissolution of all political society?

But it is urged that the war is protracted. What if it were so? Do our national rights depend on the time that an insurrection may maintain itself? It has been a war of fifteen months. The battle field is as large as Europe. The dynamical question involved is as important as any that was ever committed to the issue of civil war. The principles at issue are as grave as any that ever were intrusted to the arbitration of arms. The resources opened by the government, the expenditures incurred, the armies brought into the field, and the vigor and diligence with which they are manœuvred, have never been surpassed; nor has greater success, having due regard to the circumstances of the case, ever been attained.

Notwithstanding these facts, Europeans tell us that the task of subduing the insurrection is too great, that the conclusion is already foregone, and the Union must be lost. They fail, however, to satisfy us of either their right or their ability to advise upon it, while they no longer affect to conceal the prejudices or the interests which disqualify them for any judgment in the case.

Finally, the advocates of intervention are shocked by the calamities we are enduring, and concerned by the debts we are incurring, yet they have not one word of remonstrance or discouragement for the insurgents, and are busy agents in supplying them with materials of war. We deplore the sufferings which the war has brought, and are ready and anxious to end the contest. We offer the simple terms of restoration to the Union, and oblivion of the crimes committed against it so soon as may be compatible with the public safety.

I have expressed these views of the President to our representatives at this time, when I think there is no immediate danger of foreign intervention, or attempt at mediation, to the end that they may have their due weight whenever, in any chances of the war, apprehensions of foreign interference may recur.

I am, sir, your obedient servant.

WILLIAM H. SEWARD

Mr. Seward to Mr. Adams.

No. 327.]

DEPARTMENT OF STATE,
Washington, August 18, 1862.

SIR: I write a few words while the mail is closing. General Halleck, upon taking command of the army, made a careful survey of the entire military position, and concluded thereupon to withdraw the army of the Potomac from the Peninsula, and to combine all our forces in front of Richmond. The measure was a difficult and delicate one. It is believed to have been substantially accomplished without any casualty. Our new levies are coming in in great numbers and in fine spirits. The gloom has passed away from the public mind. Although our arrangements for resuming offensive operations are yet incomplete, we have much confidence in being able to do so speedily and with decisive effect.

The disturbed condition of affairs in New Orleans is giving way slowly, and commerce is reviving there.

Discontents, which naturally enough found utterance in the loyal States in a brief season of despondency through which we have passed, have died away already, and with them the apprehensions of organizations to embarrass the Union. It is represented to us that the popular determination to maintain the war has at no time been as unanimous and as earnest as it is now.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 208.]

LEGATION OF THE UNITED STATES,
London, August 22, 1862.

SIR: I have the honor to acknowledge the reception in due course, since the date of my last, of despatches from the department numbered 305 to 318, both inclusive, together with one marked confidential, and not numbered, dated the 2d of August.

The tenor of these papers, and especially of Nos. 308, 314, and of that marked "confidential," is such as completely to answer the purposes of my inquiries. I am now in no doubt as to the course it will be my duty to pursue under any of the contingencies which are likely to occur.

In the meantime the state of things here is not materially changed. The ministers have, most of them, left town, and little is done excepting the formal business ordinarily transacted through the agency of the subordinates left in charge. For this reason I have been in some doubt how to proceed in executing the instructions contained in No. 306, of the 24th of July, and in No. 316, of the 4th of August, so far as they relate to objects to be gained by personal conference with the minister. On the whole, I have determined upon formal action in the first place, the nature of which will be more fully set forth in separate despatches devoted to the respective subjects.

The character of the news received from America is regarded as so unfavorable to us as materially to affect the views of policy proper to be adopted here. It is now hoped that the rebels will be able to sustain themselves without the necessity of any other than moral support. This sensibly relieves us from the immediate probability of movement in any form.

You will have seen before this the publication made by Lord Russell of your despatch No. 260, a copy of which I communicated to him so long ago as the 19th of June last, and also of his own note to Mr. Stuart, of the 28th of July, taking notice of it. The whole proceeding must be admitted to be not a little anomalous. His lordship received a copy of the paper from me, which was furnished only for his information and for that of his government. He holds it for more than a month without even acknowledging its existence, when all of a sudden, on intimation of the probability of a call for information in the House of Lords, he seizes the occasion not to write to me, but to address a species of reply to Mr. Stuart, at Washington, based upon the intelligence received of some reverses in America, which seem then, for the first time, to be caught at as a justification for continuing in the old line of policy, and then causes both to be published forthwith. This singular proceeding has subjected his lordship to some sharpness of criticism even here.

I have indeed been told, but not by authority such as to place the matter altogether beyond a doubt, that your despatch, in connexion with preceding ones likewise communicated, and other considerations, had had so much effect on the ministry as to incline them to leave open a way to the revisal of their former policy, depending on the issue of the movement upon Richmond. Had that been successful, the recognition of belligerent rights was to have been withdrawn. I do not vouch for this as true, but, at any rate, it would fully explain the cause, both of the earlier delay and of the later action.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 210.]
Legation of the United States,
London, August 22, 1862.

Sir: In obedience to instructions contained in your despatch No. 312, I have addressed a note to Earl Russell, a copy of which is herewith transmitted, giving the assent of the government to the propositions made by him for better securing the proper execution of the late treaty in suppression of the slave trade.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Earl Russell.

Legation of the United States,
London, August 22, 1862.

My Lord: I have the honor to inform your lordship that I have now received instructions from the government of the United States to reply to the note received by me from you on the 17th of July, making certain propositions connected with the execution of the sixth and seventh articles of the late treaty for the further suppression of the slave trade.

I am directed to say that, in accordance with your lordship's suggestion made in that note, the government will issue passports or safe conducts in the cases specified of vessels of the United States legally employed on the African coast, which will, until further notice, be signed only by the Secretary of State of the United States. Instructions proper for executing this new arrangement, so far as British vessels are concerned, will likewise be immediately given to regulate the action of naval commanders of the United States accordingly.

I pray your lordship to accept the assurances of the highest consideration with which I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. EARL RUSSELL, &c., &c., &c.

Mr. Seward to Mr. Adams.

No. 331.]

DEPARTMENT OF STATE,
Washington, August 25, 1862.

SIR: Your despatch of the 7th of August, No. 205, has been received. Before its arrival the correspondence of Earl Russell with the Liverpool merchants, which accompanied the despatch, had reached us through the foreign press, and has been published here.

The position taken in it by her Majesty's government, when it is considered in connexion with antecedent events, is regarded by the President with much satisfaction.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, &c., &c., &c.

Mr. Adams to Mr. Seward.

No. 211.]

LEGATION OF THE UNITED STATES,
London, August 29, 1862.

SIR: Since the date of my last, I have received from the department despatches Nos. 319 and 320.

The most interesting events of the week are connected with the movements of Garibaldi in southern Italy. It is obvious thus far that the popular sympathy is entirely with him, and that it affects even the military and naval forces directed by the government against him. The effect of this state of things upon the relations of France and Great Britain is so much apprehended as to give rise to uneasiness on both sides of the channel. The first indication of it here is the sudden return of Lord Russell to London. This may, however, be likewise connected with the fact of the approaching departure of the Queen to the continent. I do not as yet apprehend any immediate consequences to the peace of Europe. There are so many reasons operating upon all the Powers to deter them from active measures that every means will be resorted to for the purpose of escaping the difficulty. At the same time it is not to be disguised that the position of the French Emperor is becoming more and more critical every day, both at home and abroad. Any attempt to take the settlement of the Italian embroglio into his own hands will be likely to involve him in embarrassments far more ruinous than he has ever encountered before. On the other hand, the overthrow of the present arrangement is almost equally dangerous. The rapid march of events will so soon dispose of this matter as to render mere speculation upon it superfluous. The temporary effect on the interests of the United States is rather one of relief, as the public attention is diverted from our affairs. The idea of intervention seemes rather to lose than gain strength with the progress of events. And, although the spirit in England cannot be said to be in any degree changed, it seems rather to waste itself in abstract lamentation on the existence of a remote evil, than to gather force for any particular mode of dealing with it.

I am glad to learn that the desired addition of volunteers will soon be in the hands of the government. The spirit with which the country has met the great trials of this struggle is admirable. Severe as has been the disappointment in the issue of what was reasonably expected to be the termination of the contest, I cannot perceive that its conditions have, as yet, been materially modified by that event. In the end it may perhaps be fortunate that the whole of it should be concentrated at a single point, and that point the seat of the rebel authority. With unity of direction and concert in execution it may be hoped that the operations of our superior forces will command ultimate success. Uncertain as is proverbially the fortune of war, it seldom fails to crown the efforts of a persevering people willing to learn wisdom from experience.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 214.]

Legation of the United States,
London, September 4, 1862.

Sir: Since the date of my last despatches from the department have been received, numbering from 321 to 327, both inclusive, and likewise printed circulars Nos. 18 and 19, of the 8th of August, relating to passports and emigrants.

Lord Russell came to town a few days ago, and sent me a note requesting to see me. I went, accordingly, on Saturday last. He said he wanted to make some observations to me in connexion with the case of the steamer Adela, the capture of which had given rise to some questions at Washington. These related to three points, the appeal to any list of suspected vessels that might be in the hands of the officers as ground of capture, the propriety of making a prior examination, and the securing the contents of mail bags. On all of them he admitted that you had already agreed to a plan to remedy the difficulties for the future, which was perfectly satisfactory. He then remarked that in the accounts given of the capture, the commander was reported to have quoted me as justifying his course on the ground that Lord Palmerston had told me we might catch such vessels if we could. He then read from a note of his lordship's in his hands a request to call my attention to this statement and a disclaimer of any such language, and a very calm and reasonable statement of what he recollected to have said on the only occasion when he had conversed with me on the subject. I immediately replied by disavowing ever having attributed to his lordship any such words. So far as I could remember the facts at this distance of time, the conversation referred to had grown out of the arrival of the James Adger, about the objects of which he desired to ask me. After mentioning the Nashville, I had alluded to the Gladiator, a steamer then about to sail from London with contraband of war for rebel ports, and said that in my interview with the captain of the Adger I had advised him on his way home to look out for the latter vessel and catch her if he could. To this course I presumed his lordship would have no objection. To this remark Lord Palmerston had replied substantially as explained in his note just read. It was now so long since the conference that this was all I could recall of it at the moment, but I had a copy of my despatch on the subject home, which would give the facts more certainly. The only thing which surprised me about the matter was how the commander of the vessel came to quote me at all, for I had no communication with him, nor indeed with any one else, on that subject, excepting through the regular official channel, as I had already mentioned it. Here the conversation dropped, and no other topic was started by his lordship. I seized the opportunity, however, briefly to give the substance of your despatch (No. 306) of the 24th of July, touching the restrictions imposed at New York upon the trade with Nassau, and to offer to furnish his lordship copies of the correspondence attached to it. His lordship observed that some of the articles referred to in the letter of the collector seemed to be contraband of war, thereby apparently distinguishing these from the general restriction. He said he should be glad to receive the copies. I have since transmitted them, together with others on the same subject, received the next day with your despatch (No. 326) of the 15th of August, in a note of the 1st of September, a copy of which is sent herewith.

Mr. Milner Gibson was present throughout the interview. This was owing to the fact the new commercial treaty with Belgium, in which both were empowered to take part, was just in the process of receiving the signatures.

His lordship, who seemed quite amiable, remarked to me that he presumed I was now quite at ease in regard to any idea of joint action of the European powers in our affairs. I laughed, and said that I was in hopes that they all had quite too much to occupy their minds in the present condition of southern Europe to think of troubling themselves with matters on the other side of the Atlantic. This was in allusion to the affair of Garibaldi, which is known to have much stirred the governments on both sides of the channel.

His lordship then notified me of his departure for Germany for a few weeks, in attendance upon the Queen, during which time Mr. Layard would be ready to attend to any business I might desire to present.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Earl Russell.

Legation of the United States,
London, September 1, 1862.

My Lord: I have the honor to transmit copies of papers explaining the measures taken at the New York custom-house to regulate the exportation of merchandise to Nassau, to which I referred in our conference of Saturday last. Since that time I have received a later despatch from my government, covering other papers relating to the same subject. Copies of these I likewise submit.

Renewing the assurances of my highest consideration, I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. Earl Russell, *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 216.] LEGATION OF THE UNITED STATES,
London, September 4, 1862.

SIR: I have the honor to transmit a copy of a note received from Earl Russell, dated the 28th of August, in acknowledgment of the prompt action of the government in response to his suggestion for the more perfect execution of the late treaty on the slave trade.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *August* 28, 1862.

SIR: I beg leave to acknowledge the receipt of your letter of the 22d instant, informing me that the government of the United States acquiesce in the suggestions which I had the honor to make to you in my letter of the 17th of July last, in reference to the issuing of passports or safe conducts to vessels legally employed on the African coast; and I have, in reply, to request that you will express to Mr. Seward the acknowledgments of her Majesty's government for the prompt compliance on the part of the United States government with the suggestions of her Majesty's government in this matter.

I have the honor to be, with the highest consideration, sir, your most obedient humble servant,

RUSSELL.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 219.] LEGATION OF THE UNITED STATES,
London, September 5, 1862.

SIR: I have the honor to transmit the copy of a note addressed to me by Lord Russell, touching the case of the steamer Oreto at Nassau, with the accompanying papers. It is a little remarkable that, with the exception of a single sentence, not an intimation is given in them by the respective parties of a consciousness of the real destination of that vessel. I have sent to Mr. Dudley, at Liverpool, to know if more decisive evidence might not be obtained in other quarters.

I presume that Mr. Dudley keeps the government fully informed of the change of the chrysalis 290 into the butterfly Alabama, on a piratical cruise against American shipping. It turned out, as I expected, that she did not go to Nassau. Her difficulty will be to keep supplied with coals.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

Foreign Office, *August* 29, 1862.

Sir: With reference to the case of the steamer Oreto, which you are probably aware has been seized at Nassau and is to be tried before the admiralty court of the Bahamas for a breach of the foreign enlistment act, I have the honor to enclose for your information copies of a report and its enclosures from the commissioners of customs with reference to a suggestion I had made to the treasury, that a competent officer should be sent to Nassau to give evidence as to what occurred at Liverpool in the case of that vessel.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

No. 439.] Custom-House, *August* 25, 1862.

To the lords commissioners of her Majesty's treasury:

Your lords having, by Mr. Hamilton's letters of 20th instant, transmitted to us, with reference to previous correspondence on the subject of the gunboat Oreto, which was fitted out at Liverpool and has since been captured by her Majesty's steamer Greyhound at Nassau for an alleged violation of the foreign enlistment act, copy of a letter from the foreign office and of its enclosure on the subject of the proceeding to be adopted in the matter, and requested that he would take the necessary steps for sending to Nassau some gentleman connected with the department competent to afford the information required in the case, we beg to transmit, for the information of your lords, copies of the report of our collector at Liverpool, with whom we have been in communication on the subject, together with copies of the statements of Mr. Morgan, the surveyor, and Mr. Lloyd, the examining officer, who visited and kept watch on the Oreto from the time that suspicions were first entertained of her being fitted for the so-called Confederate States until she sailed from the port, together with copy of the statement on oath of Mr. Parry, the pilot who had charge of the ship from the time she left the Toxteth dock until she left the Mersey; and, as from these papers the pilot would appear to be the most fitting person to give evidence in the case, we beg to be favored with your lords' further instructions as to the person who should be directed to proceed to Nassau.

F. GOULBURN.
R. H. GREY.

Report of the collector at Liverpool, August 23, 1862.

Honorable Sirs: It will be seen from the annexed statement of Mr. Morgan, surveyor, that he will be able to state the fact of the vessel being built by Messrs. Miller & Sons, and of the absence of all warlike stores on board when she left the docks, while the evidence of Mr. Lloyd, the examining officer, fully supports the statement of the pilot, Mr. Parry, which, from its importance, I have taken on oath, as it appears to me he would be the most fitting person to give evidence of the absence of all warlike stores on board the vessel when she left this country.

I am satisfied that she took no such stores on board, and indeed it is stated, though I know not on what authority, that her armament was conveyed in another vessel to Nassau. The board will, therefore, perceive that the evidence to be obtained from this port will all go to prove that she left Liverpool altogether unarmed, and that while here she had in no way violated the law.

S. PRICE EDWARDS.

Statement of Mr. Ed. Morgan, surveyor in her Majesty's custom-house at the port of Liverpool.

I am one of the surveyors of customs at this port. Pursuant to instructions I received from the collector on the 21st of February, in the present year, and at subsequent dates, I visited the steamer Oreto, at various times, when she was being fitted out in the dock close to the yard of Messrs. Miller & Sons, the builders of the vessel. I continued this inspection, from time to time, until she left the dock, and I am certain that when she went into the river she had no warlike stores of any kind whatever on board.

After she went into the river she was constantly watched by the boarding officers, who were directed to report to me whenever any goods were taken on board; but in reply to my frequent inquiries they stated nothing was put in the ship but coal.

ED. MORGAN, *Surveyor.*

Statement of Mr. Henry Lloyd, examining officer in her Majesty's customs at the port of Liverpool.

In consequence of instructions received from Mr. Morgan, surveyor, I, in conjunction with the other three surveyors of the river, kept watch on the proceedings of the vessel Oreto from the time she left the Toxteth dock, on the 4th March last, till the day she sailed, the 22d of the same month. On one occasion I was alongside of her, and spoke to her, Parry, the pilot, and the chief mate. Neither I nor any of the other river surveyors saw at any time any arms or warlike ammunition of any kind taken on board, and we are perfectly satisfied that none such was taken on board during her stay in the river.

H. LLOYD, *Examining Officer.*

Statement, on oath, of Mr. Wm. Parry, master pilot in No. 10 *boat in the port of Liverpool, taken by the collector of customs.*

I was the pilot in charge of the ship Oreto when she left the Toxteth dock on the 4th of March, 1862. I continued on board to the day of her sailing, which was the 22d of the same month, and never left her save on Sunday, when all work was suspended. I saw the ship before the coals and provisions were taken into her. There were no munitions of war in her—that is to say, she had no guns, carriages, shot, shell, or powder. Had there been any on board I must have seen it. I piloted the ship out of the Mersey to Point Lynas, off Anglesea, where I left her, and she proceeded down channel, since when she has not returned. From the time the vessel left the river until I left her she had no communication with the shore or with any other vessel for the purpose of receiving anything like a cargo on board. I frequently saw Mr. Lloyd, the tide surveyor, alongside the ship while in the river.

WM. PARRY.

Sworn before me at the custom-house, Liverpool, this 23d day, 1862.
S. PRICE EDWARDS, *Collector.*

Mr. Seward to Mr. Adams.

No. 336.]

Department of State,
Washington, September 8, 1862.

Sir: I have the honor to acknowledge the receipt of your despatch of August 22, No. 208.

Mr. Stuart read to me, in due time, the note which Earl Russell had addressed to him on the 28th day of July, commenting upon the despatch No. 260, which I wrote to you so long ago as the 28th day of May last, and which you so properly and promptly put into his hands on the 20th of June last. But Mr. Stuart seemed not to have been instructed to leave a copy with me, and for obvious reasons I did not solicit one.

His lordship's proceedings in leaving the paper submitted to him unnoticed until all expectation of special attention to it was given up, and in then taking it up, under a supposed change of affairs in this country, and making it the basis of instruction to Mr. Stuart here, in vindication of the British government, instead of giving an answer through you to the appeal contained in the paper, was indeed extraordinary. It did not, however, seem necessary for any national interest of ours to take special notice of these proceedings. They were at the time attributed by this government to some new political domestic pressure upon the ministry of Great Britain, and I am happy to learn that, according to the best information which we have been able to obtain, such was the case. I shall add only, that however necessary Earl Russell's course in the matter may have been in regard to British interests at home, and however beneficial it may have been to them, it has not made a favorable impression in this country, or produced a conviction here of the friendly feelings and dispositions towards us on the part of Great Britain, which his lordship has so generously, and doubtless with entire sincerity, avowed.

You will have learned, before this despatch shall reach you, that our late campaign in Virginia has failed; that the insurgent forces, escaping our armies, have returned to the occupation of Northern Virginia; and have even crossed the upper Potomac and taken up a position at Frederick, in Maryland, where they seem to be threatening alike Washington, Baltimore, and Harrisburgh. In a correspondence like this, which, however confidential in its character, still wears an aspect of being addressed to foreign governments, it would be indiscreet and injudicious to attempt to explain the causes of this very serious reverse. I must be content, therefore, with saying that it seems to have resulted from the fact that our two reunited armies in Virginia were only partially combined and not at all consolidated. There has been, at least, military error somewhere, and an inquiry has been instituted to ascertain where it lies, and with whom the responsibility for the reverse belongs.

Our information from the west is that the insurgents are equally bold and adventurous in that quarter, and that although no great disaster has occurred there, new energies of the government are necessary to save the States of Tennessee and Kentucky for the Union, if not to prevent inroads into Ohio.

It is not deemed necessary or even practicable, in an emergency where every hour may bring reasons for changes of measures before adopted, to attempt to give you a programme of intended military operations. I confine myself, therefore, to the statement, in general terms, that our armies in Virginia are at last fully consolidated, and that they are already in the positions deemed most advantageous for the restoration of the fortunes of the war. The same is true of our forces elsewhere. The three hundred thousand volunteers called for by the President have already been mustered in the service, and near half of them are in the field. Recruiting still goes on with the utmost spirit, and a considerable portion of the three hundred thousand men expected to be raised by draft are already coming forward as volunteers. The draft will fill up the complement without great delay. Nowhere, neither on the part of the army, nor of the people, does there appear the least sign of indecision or of despondency, although, of course, the country is, for the moment, filled with deep anxiety.

We hear, officially and unofficially, of great naval preparations which are on foot in British and other foreign ports, under cover of neutrality, to give to the insurgents a naval force. Among these reports is one that a naval armament is fitting out in England to lay New York under contribution. I think that the vigor of our naval department in building a navy upon a sudden emergency can hardly be surpassed; nevertheless, its progress seems slow to us, under the circumstances. In addition to the Monitor and other iron vessels, already known to you, we have the Ironsides now ready for duty, and a new Monitor is expected to be put into service within the next ten days. Others will soon follow, and we are doing what we can to be prepared for every possible adverse contingency that can affect the situation of the country either at home or abroad. We cannot but regret that the course of administration in Great Britain in such as to render our relations with that country a source of constant and serious apprehension. But it is not perceived here what more can be done than we are doing to preserve an international peace, which, perhaps, cannot be sufficiently valued until, without fault on our part, it shall have been broken.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

[Extracts.]

No. 221.]

LEGATION OF THE UNITED STATES,
London, September 12, 1862.

SIR: I have to acknowledge the reception of despatches numbered 328 to 334, both inclusive; likewise of printed circular No. 21, respecting aid to be rendered to the New York Geographical Society, and two copies of the United States Statutes at Large for the year 1861–'62. The information furnished of the progress of the war is valuable, and the exposition of the views of the government in its foreign relations is of a most interesting character, and cannot fail to inspire unity of thought and action among the agents of the country abroad, wherever they may be. Nothing has occurred during the past week to vary the aspect of things in this country. There are announcements of increasing distress among the operatives, as the growing scarcity of cotton has the effect of closing more of the mills. On the other hand the rapid advance in price has so far stimulated the search for the article as to justify the expectation of a considerable addition to the supply from India. I am therefore inclined to believe that we are at the crisis of the difficulty, and from this time things will rather mend than grow worse. Thus far it has not been possible to give a political direction to the uneasiness which exists. A good deal has been done both by public and private assistance to alleviate the suffering of the poorer classes. The anxiety about the crops has been quieted, partly by the prevalence of fine weather during the harvest, and partly by the extensive importation of breadstuffs from America, which puts an end to the apprehension of famine prices. In the general trade of the country there seems to be increased activity, which, to a corresponding extent, neutralizes the unfavorable influence from America.

The condition of matters on the continent is still regarded with not a little inquietude. The suppression of the indiscreet outbreak of Garibaldi has not been attended by the restoration of confidence in the established order of things in Italy. There is an obvious increase of the popular pressure upon the Emperor of France for the withdrawal of his force at Rome, which has not been thus far attended by any symptoms of yielding on his side. * * * * * * * *

The breaking out of the insurrection has brought to light the existence of national feelings [in England] towards them, [the United States,] the strength of which had scarcely been suspected in America. As the struggle has gone on, the nature and extent of them has become so clear and unmistakeable as to defy all disavowal. Having their root in the same apprehensions of the force of a foreign state which exists in the case of France, they take the same direction towards efforts to curtail, if not to neutralize, its energies. The popular sentiment of Great Britain, as now developed, should be a warning to the statesmen of America by which to regulate their action, at least for two generations. It dictates the necessity of union at home far more imperatively even than the wretchedness which now fills the country with grief from end to end. It ought to open the eyes of all the honest but deluded citizens who have imagined that in resisting the authority of the federal government they are only endeavoring to substitute one kind of domestic sovereignty for another. The fact is that they are ignorantly conducing to the interposition of a wholly foreign and opposite influence, which has no sympathy in common with America, and which seeks only to base its own interests more firmly upon the decay of those of other nations. To attempt to counteract this policy by angry remonstrance or a resort to violence would be idle, if not worse. The true remedy would be to effect the restoration of peace and harmony, the revival of our habits of productive industry, and the return of vigor to the action of one government over all, inspiring confidence at home and a salutary fear as well as respect among the malevolent abroad.

But if it should turn out that the malignant spirits among us prove to have so far confirmed their authority among their countrymen in some quarters as to render these results impracticable, then does the manifestation of these British proclivities open a still further question for the consideration of America. They point significantly to the future encouragement of a social organization approximated to us as closely as possible, which, because animated by the bitterest hostility to us may hence become a ready instrument to effect the object of finally annulling our influence. Thus hemmed in between the north and the south, both almost equally guided by British policy, the United States may cease to inspire that dread of their future expansion which seems to haunt the minds of their statesmen of the present day. The mode of counteracting these dangerous tendencies is deserving of most careful consideration. To permit the establishment of any such authority to the south of us as that indicated seems to be out of the question. It would be far wiser to determine that rather than this the social basis upon which it is designed to maintain it should be, once for all, removed. Whatever might be the hesitation to act whilst the question remained confined within purely domestic considerations, it will cease the moment that any extraneous element of foreign agency shall be introduced. Great Britain, after wielding the moral considerations of the slave question for many years for the purpose of stimulating our domestic dissensions, cannot be allowed to complete her work by upholding a slaveborn authority as a perpetual check upon our prosperity. All the considerations of our safety in the distant future forbid the idea. The whole case changes its character the moment we come to look at it in this new light. Its moral become not less momentous than its political aspects. The position of the two nations is thus made antagonistic on a great issue of principle, and the protection of the great idea of human liberty becomes more than ever before the bounden duty of the United States.

I have been led into this course of reflection insensibly by the incidental exposition of the gradually spreading antipathy to us among the people of this city and kingdom, as it has been shown by the reception of General Pope's announcement that we have gained a victory. Here it is viewed in the light of a disaster, and great efforts are made to discredit it.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 340.]

DEPARTMENT OF STATE,
Washington, September 13, 1862.

SIR: Mr. Morse, our indefatigable consul at London, has transmitted to this department an intercepted letter written by S. H. Mallory, who is the pretended secretary of the navy to the insurrectionary party in the south, and addressed to James H. North, who is called a commander in that navy. The letter shows that at least two steamers, the Oreto and the Florida, have been actually built, fitted up in England for the insurgents, and despatched with armaments and military stores from British ports to make war upon the United States. Mr. Morse has informed me that he intended to submit the letter to you, and it is probable that you will have taken a copy of it. For greater certainty, however, a copy is sent you with this despatch. It is thought expedient that you give a copy of it to Earl Russell. Hitherto the British authorities have failed to prevent such transactions, assigning as the reason a want of authentic evidence of the illegal character and purposes of the vessels which you have denounced. It will perhaps be useful to give the government this unquestionable evidence of the infraction of the neutrality laws, in the very two cases of which you have already complained without success. Although these two vessels are now beyond the reach of British authority, the evidence which shows that they ought to have been detained may possibly lend some probability to new complaints in regard to other vessels of a similar character now being built in England.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

S. H. Mallory to James H. North.

CONFEDERATE STATES OF AMERICA,
Navy Department, Richmond, July 12, 1862.

SIR: Your letter of the 29th of March last reached me this morning.

The department notified you, on the 11th of January last, that you would receive orders to command the second vessel then being built in England, but for reasons satisfactory to the department you were subsequently assigned to the command of the first vessel, the Florida, (Oreto,) now at Nassau; and any just ground for "the surprise and astonishment" in this respect at the department's action is not perceived.

A commission as commander for the war was sent you on the 5th of May, and your failure to follow the Oreto, which left England about the 21st of March, and to take command of her as was contemplated, and as you were apprised by Captain Bullock, on the 26th of March, is not understood, and has been productive of some embarrassment.

Captain Bullock was nominated by the executive for his position in the navy under existing law, and was duly confirmed by the Senate, and your protest to this department against the action of these co-ordinate branches of your government is out of place.

Upon the receipt of this letter you will turn over to Lieutenant G. F. Sinclair the instructions which you may have received, together with any public funds in your hands, and return to the confederate States in such manner as your judgment may direct.

Should you not be provided with funds for this purpose, Commander Bullock will, upon your application, supply them.

I am, respectfully, your obedient servant,

S. H. MALLORY,
Secretary of the Navy.

Commander JAMES H. NORTH,
C. S. N., London, England.

Mr. Seward to Mr. Adams.

No. 341.]

DEPARTMENT OF STATE,
Washington, September 15, 1862.

SIR: Just at the moment when the mail is about to close authentic information reaches the government that the insurgent forces which have been approaching and menacing Cincinnati and Louisville have receded, and are retreating in Kentucky. The alarm in that quarter has passed.

The press has already announced that the insurgent army, which has been threatening Washington, Baltimore, and Pennsylvania, evacuated Frederick on the 12th instant. I now give you a despatch which has just been received from Major General McClellan, which shows the position of the two armies at the present moment.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 345.] DEPARTMENT OF STATE,
Washington, September 15, 1862.

SIR: Your despatch of August 29 (No. 211) has been received. Since it was written, information, hastened by telegraph, has reached the country that Garibaldi has been wounded and captured by a French force on the coast of Calabria, and conveyed a prisoner to Spezzia. This event would seem sufficient to arrest the revolutionary movement which so lately threatened the peace of Europe. Nevertheless it remains a question of much interest whether the agitation will immediately go down or reveal itself in some new demonstrations of sympathy with its representative in his detention and sufferings.

Advices from Mexico do not encourage the belief that there will be any real submission to the French or any practical acquiescence in any new government they may succeed in establishing there.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 347.] DEPARTMENT OF STATE,
Washington, September 15, 1862.

SIR: I herewith enclose for your information a copy of a despatch, (No. 214,) of this date, to Mr. Dayton, giving, among other things, the substance of a report recently received from General Shepley, governor of Louisiana, showing the entire freedom of the cotton market in New Orleans.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

(The despatch above referred to is placed, according to date, in the correspondence with France, in this series.)

Mr. Seward to Mr. Adams.

No. 349.] DEPARTMENT OF STATE,
Washington, September 15, 1862.

SIR: Since my previous despatches were put into the mail General McClellan reports that the battle yesterday mentioned in his telegram proves to have been a complete victory. The enemy was routed, and he fled during the night. McClellan is in pursuit.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 351.]

DEPARTMENT OF STATE,
Washington, September 17, 1862.

SIR: I enclose for your information an extract from a despatch of the 9th of June last from the minister resident of the United States in Japan, relative to the cordial relations existing between himself and the ministers of England and France in that empire.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

(The extract above referred to will be found under the head of "Japan," in this series.)

Mr. Seward to Mr. Adams.

No. 353.]

DEPARTMENT OF STATE,
Washington, September 19, 1862.

SIR: Your despatch of September 4, (No 214,) has been received. It sets forth a conversation which had recently been held between yourself and Earl Russell, in which explanations were exchanged concerning a statement said to have been made by J. M. Frailey, commander of the United States steamer Quaker City, at the time of his capture of the Adela, to the effect that you had justified his alleged course in making captures of all vessels which have been indicated to him as suspected ones by the Secretary of the Navy; and that you had stated as the ground of the justification that Lord Palmerston had told you that the American naval authorities might catch all such vessels if they could.

The explanations and disclaimers which you made in reply seem to have been as satisfactory to Earl Russell as they were just.

I have referred to your despatch of the 15th of November last, in which you gave to this department an account of your interview and conversation with Lord Palmerston, on the subject of the appearance of the American ship-of-war the James Adger in British waters, the only one in which you have given me any relation of any interview with Lord Palmerston in regard to the operations of enforcing the blockade, or to violations of the neutrality laws. I find nothing in that despatch that could be construed so as to warrant the statement concerning Lord Palmerston imputed to the crew. I find, also, that the despatch was marked confidential, that it has never been presented nor even referred to the Navy Department. It results that this report does not originate from any communications you have ever made to this department.

I apprehended, rather, that if the statement has indeed been made by Commander Frailey, he must have given it upon some one of the thousand rumors which the press of both countries is in a habit of publishing as a part of the news of the day.

With a view to prevent any misunderstanding upon the subject, I will ask the Secretary of the Navy to communicate to the admiral of the blockading squadron so much of the despatch now before me as relates to the crew's report, and I will further ask him to call Commander Frailey's attention to the subject, and to ask him for such explanation concerning the crew's statement attributed to him as he may be able to give.

You may, if you think expedient, show this despatch to Lord Palmerston, as nothing would be further from the desire of this government than to do him or the government over which he presides injustice in any form whatever.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

[Circular.]

Department of State,
Washington, September 22, 1862.

To the diplomatic and consular officers of the United States in foreign countries:

Gentlemen: You will receive by the post which conveys this despatch evidences that the aggressive movement of the insurgents against the loyal States is arrested, and that the renewed and reinvigorated forces of the Union are again prepared for a new and comprehensive campaign. If you consult the public journals you will easily learn that the financial strength of the insurrection is rapidly declining, and that its ability to bring soldiers into the field has been already taxed to its utmost You will perceive, on the other hand, that the fiscal condition of the country is sound, and that the response to the calls for new levies is being made promptly, without drawing seriously upon the physical strength of the people.

I have heretofore indicated to our representatives abroad the approach of a change in the organization of society in the insurrectionary States. That change continues to reveal itself more distinctly every day. In the judgment of the President the time has come for setting forth the great fact distinctly for the serious consideration of the people in those States, and for giving them to understand that if they will persist in forcing upon the country a choice between the dissolution of this necessary and beneficent government or a relinquishment of the protection of slavery, it is the Union, and not slavery, that must be maintained and preserved. With this view the President has issued a proclamation in which he gives notice that slavery will be no longer recognized in any State which shall be found in armed rebellion on the first of January next. While good and wise men of all nations will confess that this is just and proper as a military proceeding for the relief of the country from a desolating and exhausting civil war, they will at the same time acknowledge the moderation and magnanimity with which the government proceeds in a transaction of such great solemnity and importance.

I am, gentlemen, your obedient servant,

WILLIAM H. SEWARD.

By the President of the United States of America.

A PROCLAMATION.

I, Abraham Lincoln, President of the United States of America, and commander-in-chief of the army and navy thereof, do hereby proclaim and declare that hereafter, as heretofore, the war will be prosecuted for the object of practically restoring the constitutional relation between the United States and each of the States and the people thereof, in which States that relation is or may be suspended or disturbed.

That it is my purpose, upon the next meeting of Congress, to again recommend the adoption of a practical measure tendering pecuniary aid to the free acceptance or rejection of all slave States, so called, the people whereof may not then be in rebellion against the United States, and which States may then have voluntarily adopted, or thereafter may voluntarily adopt, immediate or gradual abolishment of slavery within their respective limits; and that the effort to colonize persons of African descent with their consent upon this continent or elsewhere, with the previously obtained consent of the governments existing there, will be continued.

That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the executive government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be, in good faith, represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such State shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not then in rebellion against the United States.

That attention is hereby called to an act of Congress entitled "An act to make an additional article of war," approved March 13, 1862, and which act is in the words and figure following:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That hereafter the following shall be promulgated as an additional article of war for the government of the army of the United States, and shall be obeyed and observed as such:

"ARTICLE —. All officers or persons in the military or naval service of the United States are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor who may have escaped from any persons to whom such service or labor is claimed to be due, and any officer who shall be found guilty by a court-martial of violating this article shall be dismissed from the service.

"SEC. 2. *And be it further enacted*, That this act shall take effect from and after its passage."

Also to the ninth and tenth sections of an act entitled "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate property of rebels, and for other purposes," approved July 17, 1862, and which sections are in the words and figures following:

"Sec. 9. *And be it further enacted,* That all slaves of persons who shall hereafter be engaged in rebellion against the government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons or deserted by them, and coming under the control of the government of the United States; and all slaves of such persons found *on* [or] being within any place occupied by rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves.

"Sec. 10. *And be it further enacted,* That no slave escaping into any State, Territory, or the District of Columbia, from any other State, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service."

And I do hereby enjoin upon and order all persons engaged in the military and naval service of the United States to observe, obey, and enforce, within their respective spheres of service, the act and sections above recited.

And the Executive will in due time recommend that all citizens of the United States who shall have remained loyal thereto throughout the rebellion shall (upon the restoration of the constitutional relation between the United States and their respective States and people, if that relation shall have been suspended or disturbed) be compensated for all losses by acts of the United States, including the loss of slaves.

[L. S] In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed. Done at the city of Washington this twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President:
William H. Seward, *Secretary of State.*

Mr. Seward to Mr. Adams.

No. 356.]

Department of State,
Washington, September 23, 1862.

Sir: Your despatch No. 219, of the 5th instant, with the papers which accompanied it in relation to the case of the steamer Oreto, has been received and communicated to the Secretary of the Navy.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

[Circular—No. 24.]

Department of State,
Washington, September 25, 1862.

To the diplomatic and consular officers of the United States in foreign countries:

The following additional regulations respecting passports are deemed necessary and advisable:

When husband, wife, and minor children expect to travel together, a single passport for the whole will suffice. For any other person in the party a separate passport will be required.

A new passport will be expected to be taken out by every person whenever he or she may leave the United States, and every passport must be renewed, either at this department or at a legation or consulate abroad, within one year from its date.

WILLIAM H. SEWARD.

Mr. Adams to Mr. Seward.

No. 225.]

Legation of the United States,
London, September 25, 1862.

Sir: I have to acknowledge the reception of despatches from the department numbered from 335 to 338, both inclusive, of a circular of the 4th instant, enclosing a printed letter of the Postmaster General, and of two notes of the 9th instant relating to the release of Major Foley, and to a letter sent from here to Mr. Griffin at Williamsburg, in Virginia.

The most important of these documents is No. 338 and its enclosure, which I perused with the closest attention. I was particularly glad to learn from it that the rumors set afloat in the continental newspapers of the probable retirement of Mr. Dayton were not well founded. The testimony borne to his official conduct by M. Thouvenel has given me the highest satisfaction, for it entirely accords with the impressions which I had myself formed of it. Indeed, it has been one great source of consolation to me in the midst of the trials to which the country has been subjected in Europe during the present struggle to be able to rely upon the capacity and the discretion of that gentleman in that responsible post. I trust that he will remain at least so long as the critical condition of our affairs may render the continuance of either of us of any importance in the eyes of the government.

It is not easy for me to determine how far M. Mercier must be regarded as having acted in his official capacity. The result of his somewhat similar prior experiment in visiting Richmond seems to have been only to produce the conviction that nothing useful could then be done. Perhaps the same effect may have followed your conversation. In any event no material change in the policy of France has yet made itself visible on this side of the water. Here things remain much as before the late news of our further reverses. If anything, the impression made of the power of the rebel arms rather breeds more indifference to the extending of any active sympathy. There are vague hopes that the war is approximating some termination or other. In the meantime the distress in the manufacturing districts is rather on the increase, and the demand for cotton more imperative. Much discussion is had of the probable sources of future supply outside of America, without eliciting any very satisfactory answer. That a great expansion of the cultivation is going on is certain, but whether it will produce early supplies at all adequate to the demands is very much doubted. Over all the efforts making in other quarters hangs the dread of a sudden restoration of the American production. At this moment it cannot be disputed that the total destruction of all expectation from that source, at least for several years to come, would be a better safeguard for the future than the present state of suspense. The whole question, then, resolves itself into the maintenance of the slave institutions of the southern States. And the position of Great Britain and France, so far as it has yet been defined, is in direct conflict with the principles which they profess; for a recognition of the present rebel government of those States, so far as it goes, would help to establish a supply of cotton furnished by the labor of an expanding slave population, which would inevitably annul all efforts to establish the culture elsewhere in the hands of freemen. Far better would it be for those countries, as well as for the interests of the whole civilized world, if the present difficulty were met at once by a demand for unconditional emancipation.

In the meantime the interest taken in American affairs has been somewhat diminished by the growing agitation of all the countries of Europe consequent upon the situation of Garibaldi. The pressure brought to bear upon the Emperor of France to induce him to withdraw his support of the Pope is met by a corresponding pressure of the Catholic interests of Europe on the opposite side. As yet there are no indications of a disposition on his part to modify in any way his late policy. The consequence is not favorable to the prospect of consolidation in Italy. There are many symptoms of disintegration appearing which may prove too much for the strength of any ministry the King will be able to organize. This dubious condition of affairs, together with the large increase of expenditure occasioned by the Mexican expedition seriously adding to prior financial complications, may have the effect to deter the Emperor from all idea of action in America, especially if not seconded by any of the other powers of Europe.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 227.]

Legation of the United States,
London, September 26, 1862.

Sir: I have not been quite satisfied with the way in which my remonstrances respecting the outfit of the gunboat No 290 had been left. In consequence I seized the first opportunity in my power to remind Lord Russell that no written answer had been given to me. This has had the desired effect. I have the honor to transmit copies of the two notes which have passed between us. In former days it was a favorite object of Great Britain to obtain from the United States an admission of the validity of claims for damage done by vessels fitted out in their ports against her commerce. This was finally conceded to her in the seventh article of the treaty of 1794. The reasoning which led to that agreement may not be without its value at some future time, should the escape of the gunboat 290 and of her companion, the Oreto, prove to be of any serious injury to our commerce.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Earl Russell.

Legation of the United States,
London, September 4, 1862.

My Lord: I have the honor to transmit the copy of a letter received from the consul of the United States at Liverpool, together with a deposition, in addition to the others already submitted with my notes of the 22d and 24th of July, going to show the further prosecution of the illegal and hostile measures against the United States in connexion with the outfit of the gunboat No. 290 from the port of Liverpool. It now appears that supplies are in process of transmission from here to a vessel fitted out from England, and now sailing on the high seas, with the piratical intent to burn and destroy the property of the people of a country with which her Majesty is in alliance and friendship. I pray your lordship's pardon if I call your attention to the fact that I have not yet received any reply in writing to the several notes and representations I have had the honor to submit to her Majesty's government touching this flagrant case.

I beg to renew to your lordship the assurance of the highest consideration with which I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Foreign Office, *September* 22, 1862.

Sir: I have the honor to acknowledge the receipt of your letter of the 4th instant, enclosing a copy of a letter from the United States consul at Liverpool, together with the deposition of Henry Redden, respecting the supply of cannon and munitions of war to the gunboat No. 290. You also call attention to the fact that you have not yet received any reply to the representations you have addressed to her Majesty's government upon the subject.

I had the honor, in acknowledging the receipt of your letter of the 22d of June, to state to you that the matter had been referred to the proper department of her Majesty's government for investigation. Your subsequent letters were also at once forwarded to that department, but, as you were informed in my letter of the 28th of July, it was requisite, before any active steps could be taken in the matter, to consult the law officers of the crown. This could not be done until sufficient evidence had been collected, and, from the nature of the case, some time was necessarily spent in procuring it. The reports of the law officers was not received until the 29th of July, and, on the same day, a telegraphic message was forwarded to her Majesty's government, stating that the vessel had sailed that morning. Instructions were then despatched to Ireland to detain the vessel should she put into Queenstown, and similar instructions have been sent to the governor of the Bahamas, in case of her visiting Nassau. It appears, however, that the vessel did not go to Queenstown, as had been expected, and nothing has been since heard of her movement.

The officers of customs will now be directed to report upon the further evidence forwarded by you. I shall not fail to inform you of the result of the inquiry.

I have the honor to be, with the highest consideration, sir, your most obedient humble servant,

RUSSELL.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 359.]

Department of State,
Washington, September 26, 1862.

Sir: Your despatch of the 12th of September (No. 221) has been submitted to the President. It gives evidence of deep research among the springs of political action in Europe, as it is also far-reaching in its grasp of the peculiar interests of this country. In this official paper I must write with less freedom than you have done on both subjects.

In the beginning of our domestic troubles, all the outside world was apparently in a state of profound and permanent peace. It seemed as if, unavoidably, irritation was produced in several foreign countries by the derangement of our national commerce, and they were not only entirely free to combine against us and enforce a dissolution of the Union, but were even being impelled by very powerful influences to enter into such a combination. Perhaps the most portentous incident which has occurred in the progress of this unhappy strife was the announcement made to us by the governments of Great Britain and France that they had agreed to act together in regard to the questions which it should present for their consideration. Every one knows the influence that the united wills of these two great maritime powers carry in the councils of other states. It has been for us of late a relief to perceive that although European cabinets still maintain their conventional accord, yet the fundamental political interests of the states they represent are forcing themselves into notice and tempering, if not modifying, the proceedings of their governments.

It is, as you suggest, very plainly the interest of all the members of this federal Union to arrest their civil war, reconcile their differences, reorganize the government on its constitutional basis, and thus maintain themselves equally against possible foreign war and the still more dangerous inroads of foreign influence. But the faction which has gotten up the insurrection builds its hopes of success chiefly upon foreign intervention, and it has not thus far been sufficiently exhausted to open the way for serious reflection in the revolutionary States. This whole nation, when united, was a greater and stronger power than it was believed abroad, and even greater and stronger than it supposed itself to be. The insurgent portion of it, though very unequal to the loyal, are not deficient in strength and wealth available for treason. An ambitious spirit, perhaps it would not be severe to say a malignant one, has imparted much energy to the insurgent arms. But it no longer admits of doubt that there has been a visible process of exhaustion of men and money in the insurgent States. The waste of armies in war was unforseen by them, as it was by the government. It is now visible on both sides. Practically, it is not difficult to renew our armies, but the wasted forces of the insurgents cannot be replaced. They have spent three hundred and fifty millions already, and need two hundred and fifty millions more for expenditure before the beginning of the new year. Their whole actual revenue from imposts and taxes gathered within the past year is nominally twelve millions, but this was received in a currency depreciated at least fifty per cent.; they have no resources for greater taxation. The spirit which has sustained them thus far cannot be maintained without the gain of military advantages far greater than they have hitherto obtained.

In view of these facts, it is probably safe to assume that the insurrection has reached its crisis.

As you are well aware, it has never been expected by the President that the insurgents should protract this war until it should exhaust not only themselves but the loyal States, and bring foreign armies or navies into the conflict, and still be allowed to retain in bondage, with the consent of this government, the slaves who constitute the laboring and producing masses of the insurrectionary States. At the same time, the emancipation of the slaves could be effected only by executive authority, and on the ground of military necessity. As a preliminary to the exercise of that great power, the President must have not only the exigency, but the general consent of the loyal people of the Union in the border slave States where the war was raging, as well as in the free States which have escaped the scourge, which could only be obtained through a clear conviction on their part that the military exigency had actually occurred. It is thus seen that what has been discussed so earnestly at home and abroad as a question of morals or of humanity has all the while been practically only a military question, depending on time and circumstances. The order for emancipation, to take effect on the first of January, in the States then still remaining in rebellion against the Union, was issued upon due deliberation and conscientious consideration of the actual condition of the war, and the state of opinion in the whole country.

No one who knows how slavery was engrafted upon the nation when it was springing up into existence; how it has grown and gained strength as the nation itself has advanced in wealth and power; how fearful the people have hitherto been of any change which might disturb the parasite, will contend that the order comes too late. It is hoped and believed that after the painful experience we have had of the danger to which the federal connexion with slavery is exposing the republic there will be few indeed who will insist that the decree which brings the connexion to an end either could or ought to have been further deferred.

The interests of humanity have now become identified with the cause of our country, and this has resulted not from any infraction of constitutional restraints by the government, but from persistent unconstitutional and factious proceedings of the insurgents, who have opposed themselves to both.

I am, sir, your obedient servant,

WILLIAM H. SEWARD

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 360.]

Department of State,
Washington, September 30, 1862.

Sir: Many free persons of African derivation residing within the United States have made known to the President their desires to emigrate to foreign countries if they could do so with the consent of the government and with guarantees of its guardian care over them while arranging their departure and pursuing their voyages, choosing their new homes and purchasing lands, or otherwise contracting for their permanent location and settlement abroad, and especially securing them, in every event, against being hereafter reduced to slavery or bondage. It is believed that the number of this class of persons so disposed to emigrate is augmenting and will continue to increase.

On the other hand, some foreign governments situated within the tropics, and others having colonies or dependencies there, have intimated to the President a desire to receive such accessions to their population upon conditions favorable to the welfare, prosperity, and happiness of the emigrants.

In view of these facts, the President has authorized me to enter into negotiations upon the subject with the government of Great Britain, if it shall be inclined to such a course.

It is not within the purposes of this communication to present the project of a convention, but simply to state some of the general principles which this government supposes proper to be recognized in any treaties which may be contracted with reference to the objects which I have presented.

First. That all emigration of persons of African derivation to take place under the stipulations of the treaty shall be perfectly free and voluntary on the part of adults, and with the full and expressed consent of parents and guardians for minor children and wards.

Second. That agents of the government desiring to receive such emigrants shall be recognized by this government and authorized to solicit such emigration, but such agents shall be appointed by such government or with its sanction. Their names, with the dates of their appointments and the terms for which they are to continue, shall be made known to this government, which shall engage to protect them while peacefully and inoffensively pursuing their occupation, but shall have always a right to require the dismissal of any such agent whose conduct or deportment shall be found injurious to the peace, safety, or welfare of the United States.

When any government which shall have entered into the treaty shall have obtained the consent of a colony or party of emigrants, a record of their names, ages, sexes, and conditions shall be made up with their proposed place of embarcation and destination, duly attested and verified. Such government shall then cause them, with their personal effects, to be received with all convenient despatch on board of sea-worthy vessels, which shall afford them healthful and convenient accommodations of space, air, food, water, and other necessaries for their intended voyage, and shall, in all cases, suffer no cruelty, inhumanity, or unnecessary severity to be practiced upon them. And families so emigrating shall not be separated without their consent. Any party of such emigrants who may desire it may be attended by an agent, being a citizen of the United States, to be selected by them and approved by the government, who may remain with them during the voyage and after their arrival at their destination, until they shall have been established in their new settlement; but such agent shall be paid by them or by the United States, and he shall be liable to be removed or recalled by this government and may be replaced upon representation from the other contracting party that his proceedings or conduct are disloyal or offensive to the government receiving such emigrants.

On arriving at the place of debarkation such emigrants shall be furnished with plain but comfortable dwellings, one for each family, or with comfortable homes in the families of resident inhabitants of the country, and either with lands to be occupied and owned by themselves adequate to their support and maintenance, they practicing ordinary industry in cultivating the same, or else with employment on hire, with provision for their wants, and compensation adequate to their support and maintenance, clothing and medicines and an education of the children in the simple elements of knowledge, which provision shall continue for the term of five years, minors and infants being permitted to reside with their parents and guardians during their minority, unless apprenticed with the consent of their parents and guardians. All such emigrants and their posterity shall forever remain free, and in no case be reduced to bondage, slavery, or involuntary servitude, except for crime; and they shall specially enjoy liberty of conscience and the right to acquire, hold, and transmit property, and all other privileges of person common to inhabitants of the country in which they reside. It should be further stipulated that in cases of indigence resulting from injury, sickness, or age, any of such emigrants who shall become paupers shall not thereupon be suffered to perish or to come to want, but shall be supported and cared for as is customary with similar inhabitants of the country in which they shall be residents.

You are authorized to bring this subject to the attention of Earl Russell, and to inquire whether the British government has a desire to enter into such a negotiation. Should an affirmative answer be given, you may transmit to this department any suggestions that Earl Russell may desire to make in the premises, and you will, upon due consideration of the same, be furnished with a draft of a convention.

It should be understood that it is not desired by the United States to give to any State a monopoly of the proposed emigration, but to open its benefits on equal terms to all States within the tropics, or having colonies there, which, maintaining free constitutional governments, shall desire those benefits. As it might be expedient to fix upon a definite period for the duration of the proposed treaty, you may suggest ten years as the term, with the privilege, after that time, of terminating it at the expiration of one year's notice to that effect.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c*, *&c.*, *&c.*

Same, *mutatis mutandis*, addressed to ministers of the United States at Paris, the Hague, Copenhagen.

Mr. Moran to Mr. Seward.

Legation of the United States,
London, September 30, 1862.

Sir: Under the direction of Mr. Adams, I have the honor to forward herewith the copy of a telegram received last evening from Mr. H. J. Sprague, the United States consul at Gibraltar, respecting the movements of the gunboat 290, and of the United States vessels-of-war in the vicinity of the Mediterranean.

I have the honor to be, sir, with great respect, your obedient servant,

BENJAMIN MORAN,
Assistant Secretary of Legation.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

[From Sprague, consul, 29th, 3.30 p. m.]

Inform our government Kearsarge leaves to-morrow for the Azores in pursuit of Semmes, who has destroyed ten whalers. Have recommended Tuscarora, now at Cadiz, to follow her at once, and the Constellation to come down the Mediterranean.

Mr. Adams, *American Minister, London.*

Mr. Adams to Mr. Seward.

No. 229.] Legation of the United States,
London, October 3, 1862.

Sir: Since the date of my last I have received despatches from the department numbered from 339 to 349, both inclusive.

The telegraph intelligence so far outstrips the ordinary course of communication that the accounts of the result of the invasion of Maryland and Pennsylvania followed close upon the mention in your No. 349 of General McClellan's first success. As yet we are not in possession of the details, but the effect upon the popular mind of what is known has been already very considerable. So strong had the impression become that all power of further resistance by the government was for the moment destroyed, that many people confidently counted upon the possession of the national capital by the rebels as an event actually past. The surprise at this manifestation of promptness and vigor has been quite in proportion. The great stroke which was to finish the war, that had been early announced here as about to take place in September, seems to have failed, and to have left its projectors in a worse condition than ever. The prevalent notion of the superiority of military energy and skill on the part of the insurgents in the field has been weakened. As a consequence, less and less appears to be thought of mediation or intervention. All efforts to stir up popular discontent meet with little response. The newspapers of the day contain a report of a decided check just given to a movement of this kind at Staley Bridge, near Manchester. On the whole, I am inclined to believe that perhaps a majority of the poorer classes rather sympathize with us in our struggle, and it is only the aristocracy and the commercial body that are adverse. Perhaps it may be quite as well for us if this should be the case. For the present ministry sufficiently reflects the popular side to be in little danger of precipitation so long as no impulse from that quarter shall be manifested against us.

Great interest continues to be felt in the Italian question. There are symptoms of movement of some kind on the part of the Emperor of France, but nobody pretends to foretell what it will be. The position of Garibaldi rouses stronger interest now that he is in prison than it did whilst he was quietly at home. The difficulty of bringing him to trial, in the face of the popular sympathies of half of Europe, is very serious. On the other hand, religious feelings are strongly appealed to in behalf of the Pope. A serious riot took place in Hyde Park on Sunday last, where a meeting in favor of Garibaldi was attempted. All this contributes to divide the attention heretofore so much concentrated on America.

The distress in the manufacturing region rather increases in severity, but I am inclined to believe that the further closing of the mills is no longer made imperative by the diminution of the material. Large supplies of cotton of the old crop were received from India last week, and three hundred thousand bales are announced as far on their way. The new crop will soon follow. What remains is to adjust the proper relation between the prices of the raw material and the manufactured product, which, owing to the great previous excess of the latter, is yet unsettled. In the meantime much attention is given to the invention of substitutes, and some resort had to other materials. More industry is enlisted in the making of commodities from wool as well as flax. There is also a quickening of the products of which silk is a component part. All these things will, I hope, combine to reduce from this time forward the amount of distress in the indigent classes. I judge that the cotton famine has passed its minimum, and that unless the governments of England and France should be so infatuated as to interrupt the natural progress of events, the great risk to the civilized world of future dependence upon an imperious and false organization of society in America will have been permanently averted. In the midst of all this, I wish I could see at home any prospect of a termination of this deplorable struggle. But the infatuation of the dominant class in the south seems to have reached its highest pitch when it dreams of dictating its own terms in our capital cities. There is no dealing with such persons excepting with their own weapons. Here is the conflict of two ideas which cannot be harmonized by reasoning. Much as it may cost, the struggle must go on, and modern civilization triumph, or America will forfeit all further claim to be designated as the land of the free.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 230.]

Legation of the United States,
London, October 3, 1862.

Sir: I regret to be obliged to state that accounts are coming in of the ravages committed by the gunboat 290, now called the Alabama, which has been cruising off the Azores. So long ago as the 5th of last month I felt it my duty to apprise the consul at Gibraltar of the position of that vessel, and to warn him, and through him the vessels on that station, to be on the alert. I now learn from him, as well as from Mr. Harvey, at Lisbon, that they have just sailed. The probability is that the Alabama will next turn up somewhere in the West Indies, or on the coast of South America.

There are rumors from Liverpool of the preparation of several steamers to sail as privateers. They find some corroboration from the report just received of the proceedings at Richmond in regard to letters of marque. There is no doubt that the presence of one or two fast United States steamers, commanded by efficient officers, would be of use in the European waters.

I transmit the copy of another note which I have addressed to Lord Russell upon my receiving from Mr. Dudley a fresh and strong deposition to add to those already accumulated in the case of the gunboat 290. It will be a little difficult for this government to justify its want of energy in enforcing the provisions of the law in regard to that vessel.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

[Enclosure]

Mr. Adams to Lord Russell, with deposition, September 30, 1862.

Mr. Adams to Earl Russell.

Legation of the United States,
London, September 30, 1862.

My Lord: I have the honor to submit to your consideration the copy of another deposition taken at Liverpool before the collector of the port, which, in connexion with the papers heretofore presented, goes to establish beyond reasonable doubt the fact that the insurgents in the United States and their coadjutors at that place have been engaged in fitting out vessels at that port to make war on the United States, in utter contempt of the law and of her Majesty's injunctions in her proclamation. I expect to be in possession of some stronger evidence of the same nature in relation to past transactions, which I hope to be able, likewise, to submit in a few days.

The injuries to which the people of the United States are subjected by the unfortunate delays experienced in the case of my remonstrance against the fitting out of the gunboat 290, now called the confederate steamer Alabama, are just beginning to be reported. I last night received intelligence from Gibraltar that this vessel has destroyed ten whaling ships in the course of a short time at the Azores.

I have strong reason to believe that still other enterprises of the same kind are in progress in the ports of Great Britain at this time. Indeed, they have attained so much notoriety as to be openly announced in the newspapers of Liverpool and London. In view of the very strong legal opinion which I had the honor to present to your lordship's consideration, it is impossible that all these things should not excite great attention in the United States. I very much fear they will impress the people and the government with a belief, however unfounded, that their just claims on the neutrality of Great Britain have not been sufficiently estimated. The extent to which her Majesty's flag and some of her ports have been used to the end of carrying on hostile operations is so universally understood that I deem it unnecessary further to dwell upon it. But in the spirit of friendliness with which I have ever been animated towards her Majesty's government, I feel it my duty to omit no opportunity of urging the manifestation of its well known energy in upholding those laws of neutrality upon which alone the reciprocal confidence of nations can find a permanent basis.

I pray your lordship to accept the assurances of the highest consideration with which I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. Earl Russell, *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 362.]

DEPARTMENT OF STATE,
Washington, October 4, 1862.

SIR: Your despatch of the 18th of September has been received, and your proceedings in relation to the delivery of the autograph letter of the President to her Majesty therein mentioned are approved.

No marked event has occurred since the date of my last communications. The insurrectionary advances seem to have been arrested; our naval preparations are steadily proceeding. Our armies, which are being rapidly re-enforced, are preparing for new and energetic movements. The perturbation of the public mind abates, and cheerful views of the future are beginning to prevail. There are indications of returning loyalty in Louisiana and in North Carolina.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 367.]

DEPARTMENT OF STATE,
Washington, October 10, 1862.

SIR: Your despatch of September 26 (No. 227) has been received, and your proceedings in relation to the armament of the gunboat 290 in British waters, as there recited, are approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 368.]

DEPARTMENT OF STATE,
Washington, October 10, 1862.

SIR: Your despatch of the 25th of September (No. 226) has been received The President is gratified by the tribute you have paid to the prudence and fidelity of Mr. Dayton.

Mr. Dayton has given me an account of an informal and unofficial conversation with which he was lately favored by Mr. Thouvenel, which indicates a harmony between him and Mr. Mercier in despondency concerning the success of the Union arms, but not any sentiments of hostility or of unfriendliness to this government.

I learn, also, from Mr. Sanford that Baron Talleyrand, on his recent return from Paris to Brussels, informed Mr. Sanford that Mr. Thouvenel had said to him that business was suspended at Paris until the return of the Emperor from Biarritz, after which they should take up the Italian and the *American questions.*

This government has nothing to say concerning the first of these subjects. In regard to the latter, it is certain that the aspect of the case for the enemies of the Union, when the time for that consideration shall have come, will be found to have changed much for the worse from what it was when Mr. Thouvenel was conversing with Baron Talleyrand. Recent events indicate a loss by the insurgents of even more than the prestige they won by their desperate attempt to invade and subjugate the loyal States of the republic. The Emperor of France is extensively regarded in European circles as an arbitrator among nations; but we are not aware that he has ever affected so important and hazardous a trust. We do him no such injustice as to suppose him hostile to the United States or disposed to do them a wrong.

However the case may prove in this respect, we do no such injury to our cause and no such violence to our national self-respect as to apprehend that the Union is to be endangered by any foreign war that shall come upon us unprovoked and without excuse. However public opinion, either here or in foreign countries, may veer with the varying chances of war, it must be understood by all the representatives of the United States abroad that the President indulges no apprehensions of a failure of the people in their determined purpose of maintaining the federal Union.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 237.]

LEGATION OF THE UNITED STATES,
London, October 10, 1862.

SIR: The last week has been marked by only two events of any particular importance.

The first of these was the reception of the news of the President's proclamation respecting the slaves. The effect of it has been only to draw the line with greater distinctness between those persons really friendly to the United States and the remainder of the community, and to test the extent of the genuine anti-slavery feeling left in this country.

The second is the appearance of Mr. Gladstone, the chancellor of the exchequer, once more in a popular address referring to the state of things in America. From the first there has been little doubt on which side his sympathy was. But the present is the first occasion upon which he has ventured to touch upon the slave portion of the controversy. His idea that the force of the slave tenure will be diminished by the withdrawal of that portion of the governing power which had heretofore been applied to sustain it in the free States is as ingenuous as it is sophistical.

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As this is just the season when public men are in the practice of making their addresses all over the country, it is probable that more or less of them will be appearing from day to day in the newspapers. I find reports of two in those of this morning. There is no mistaking the spirit they contain; and as both the members are of the so-called liberal or ministerial party, generally ranked as the least unfavorable of the two to the United States, it is not unfair to infer from them the tendency of opinion everywhere in the governing classes. I think that in this connexion the tone of Mr. Gladstone may be construed as indicating the course that may be taken by government as soon as Parliament meets, should the indications of public opinion be so marked as to make any step necessary. The only thing now likely further to retard it, in my opinion, is any serious change in the character of war. We are yet awaiting the issue of the grand plan of operations con cocted at Richmond, only a portion of which has thus far been defeated. Of this plan, the naval portion, a consciousness of the existence of which is so singularly betrayed by Mr. Gladstone, is far the most important to us, in connexion with the position of Great Britain; for the fact is certain that the whole of it has been constructed and organized here. Any diminution of our power on the ocean would be hailed here with the greatest delight, for it is there that the greatest jealousy exists. I trust that government has been sufficiently warned of what is preparing in this direction to be able to meet the emergency with adequate forces. The great difficulty in the way of the rebels is the want of seamen. There seems thus far to be, at least on this side, no deficiency of money.

On the whole, the prospect is not quite so bright as I had hoped a few days ago, when the rebel army seemed in the greatest danger. But we have so much of unexhausted resources left, in comparison with the insurgents, that it would seem as if, with ordinary skill in the direction, the ultimate issue could not be doubtful.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 238.]

Legation of the United States,
London, October 10, 1862.

Sir: I have the honor to transmit copies of further notes that have passed between Lord Russell and myself in regard to the outfits in behalf of the insurgents made from the ports of this kingdom.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

[Enclosures.]

1. Lord Russell to Mr. Adams, October 4, 1862.
2. Mr. Adams to Lord Russell, October 9, 1862.

Earl Russell to Mr. Adams.

Foreign Office, *October* 4, 1862.

Sir: I have the honor to acknowledge the receipt of your letter of the 30th ultimo, enclosing a copy of another deposition, taken before the collector of the port of Liverpool, with reference to the proceedings of the gunboat 290, and further expressing a belief that enterprises of a similar kind are in course of progress in the ports of the United Kingdom; and I have to state to you that, much as her Majesty's government desire to prevent such occurrences, they are unable to go beyond the law, municipal and international.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, October 9, 1862.

MY LORD: I now have the honor to transmit to your lordship a copy of an intercepted letter which I have received from my government, being the further evidence to which I made allusion in my note to your lordship of the 30th of September, as substantiating the allegations made of the infringements of the enlistment law by the insurgents of the United States in the ports of Great Britain. I am well aware of the fact to which your lordship calls my attention in the note of the 4th instant, the reception of which I have the honor to acknowledge, that her Majesty's government are unable to go beyond the law, municipal and international, in preventing enterprises of the kind referred to. But in the representations which I have had the honor lately to make, I beg to remind your lordship that I base them upon evidence which applies directly to infringements of municipal law itself, and not to anything beyond it. The consequence of an omission to enforce its penalties is, therefore, necessarily that heretofore pointed out by eminent counsel, to wit: that "the law is little better than a dead letter," or result against which "the government of the United States has serious ground of remonstrance."

I pray your lordship to accept the assurances of the highest consideration with which I have the honor to be, my lord, your most obedient servant,

CHARLES FRANCIS ADAMS.

Right Hon. Earl RUSSELL, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 369.]

DEPARTMENT OF STATE,
Washington, October 13, 1862.

SIR: Your despatch of the 25th of September (No. 225) has been received and submitted to the President. While its statements are very interesting, and its suggestions seem to be wise and judicious, a special reply on my part has been rendered unnecessary by my anticipation of the subject discussed in your despatches.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 372.]

DEPARTMENT OF STATE,
Washington, October 18, 1862.

SIR: Your despatch of October 3 (No. 229) has been submitted to the President.

He is gratified by the information it brings, that a reaction in Europe in regard to our affairs, which was anticipated here, has actually occurred.

It was the policy of the insurgents to surprise the government by their invasion of the loyal States, and at the same time to raise the most sanguine expectations in foreign countries of its success. The manœuvre was scarcely developed here before it was ostentatiously avowed that that success was expected to bring to pass the recognition of their sovereignty by European states. The President was therefore prepared for the information which your despatches and other correspondence give of the deep impressions which have, during the last month, been made in Europe in favor of the insurgents.

It is not, however, now doubted here that the battles of South Mountain and Antietam, followed by the retreat of the insurgents from Maryland, and by the President's proclamation of warning to the insurgent States, have well sustained the reaction abroad which has been already mentioned.

At the same time you will need to know the present military and political conditions of the country and the expectations of the President based upon them. I do not think that I can better describe these conditions than by saying, on the whole, that there has been only this change since the month of June last, namely, that whereas at that time it was believed here that the government had virtually suppressed the revolt, the reverses and successes of our arms within the period that has intervened have now brought about the conviction that the revolt, practically speaking, has failed. The battle of Corinth was a great conflict, and it has produced large results. It leaves us but little trouble to relieve the Mississippi river of insurgent forces, and we are rapidly preparing the land and naval expeditions necessary for that purpose.

The invasion of Kentucky seems to have virtually come to an end with the defeat of the insurgents at Corinth and at Perryville. They are leaving the State with as much haste as they rushed through it towards Louisville and Cincinnati. Their demonstrations against Missouri have been equally unsuccessful. General McClellan is being rapidly re-enforced, and reconnoissances which he has made truly indicate a new trial of strength between his army and that of Lee near Winchester. Only the impossibility of finding room for more workers upon our iron-clad navy delays the despatch of vessels of that class believed to be sufficient without the present navy to recover all the ports of the country which are yet remaining in the possession of the insurgents. Charleston and Mobile will be early visited with that view, and thus we may reasonably expect to relieve ourselves of the inconveniences which result to the national cause from the success of British built and equipped vessels in carrying arms and supplies to the insurgents, since we are compelled to despair of any other correction of that great wrong.

You are well aware how long political controversy has been wearing a gulf to divide opinion in our country on the subject of interference with slavery in the slaveholding States. You know how deep that gulf has become, and how confessedly impassable it is except under the pressure of absolute, immediate, and irretrievable danger to the Union itself. Notwithstanding many respected counsellors at home, and all our representatives abroad, have long and earnestly urged an earlier adoption of such a measure as the President has at last accepted, it was nevertheless wisely delayed until the necessity for it should become so manifest as to make it certain that, instead of dividing the loyal people of the Union into two parties, one for and the other against the prosecution of the war for the maintenance of the Union, it would be universally accepted and sustained. It is now apparent that the measure will be thus sustained.

The popular discussion which preceded the resolution, concurring with the spasmodic action of that portion of public opinion which, under the influences of excitement, reasons to final results from ephemeral events, has somewhat disturbed the public mind during the last three months, and elicited in many quarters hasty and inconsiderate expressions which, doubtlessly, will be interpreted by our adversaries abroad as indicating a want of devotion to the war and of popular determination to give it success. Nothing, however, could be more erroneous than any such impressions, in whatsoever way produced. Virtually, the six hundred thousand men whom the government called for have come into the field as volunteers within the short space of ten weeks. I mention, by way of illustration, the fact that New York alone has sent into the field within that period eighty thousand men, and she is now sending in the balance of her quota, thirty-seven thousand. All the other States have done and are doing equally well. From one end of the loyal region to the other, including even the border States, and notwithstanding supposed disfavor resulting from the President's proclamation, there does not come up to the ear of the government a suggestion or a whisper of discontent with the determination it manifests to maintain and preserve the Union, at whatever cost, with whatever measures, and in whatever event.

On the other hand, there are manifest symptoms of not only exhaustion but of reaction in the insurrectionary region. The language of defiance there is hushed, while a desire for peace is very freely and generally expressed. It is manifest, from the tone of insurgent organs, that the proclamation of the President is filling the insurrectionary region with serious apprehensions, and this circumstance sufficiently indicates a failure of expectation of repelling the national arms from the home and haunts of African slavery. If we correctly understand the affairs of the insurgents, their last available forces are already in the field, and are very inferior to the Union armies in numbers and efficiency, while their leaders have not yet done, and are not able to do, anything to establish a system of revenue that could enable them to maintain the struggle in which they have already lavished so much of their wealth and strength. It would seem to result from this view that the crisis of the insurrection has come, and that its last hopes are staked upon foreign intervention.

Upon that point nothing has been left unsaid by this government. If there have been intimations from abroad of the possibility of such a course, they have been met with the reply that this nation will not consent to be divided, nor to recognize relations of friendship with any power that shall lend its aid to such a dangerous purpose. To this determination the President adheres. He feels confident that he is right in believing that even foreign intervention could not now endanger the Union that he is sworn to maintain and preserve.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 373.]

Department of State,
Washington, October 20, 1862.

Sir: Your despatch of October 3 (No. 230) has been received. Your proceeding in presenting to her Majesty's government a remonstrance against the practices of British subjects in arming and fitting out privateers to depredate on American commerce is approved by the President. The language and the effect of your remonstrance are equally satisfactory. When at the close of the last session of Congress it was proposed here to issue letters of marque for the protection of our commerce against such depredations by the insurgents, the proposition was relinquished on the ground that they had no ports here within control from which piratical cruisers could be sent out, and it was not apprehended that the shores of Great Britain would be suffered to be used by them for a base of operations. Yet we now see a piratical vessel built, manned, armed, equipped, and despatched from a British port, and roaming at large on the seas, without ever touching the American shores, destroying American merchantmen as if there were no treaties between Great Britain and the United States, while entrance into British ports for coals and other supplies is denied to our national armed vessels under a proclamation of neutrality. This is one of the lamentable fruits of the policy which Great Britain adopted at the beginning of the war, without previous consultation with the United States, and has persisted in ever since in opposition to their earnest and persevering remonstrances. Our agents are reporting to us new and larger military and naval preparations in British ports, and if they are to be allowed to go on to their conclusion, and to operate, as has been done in the case of the 290, will not the result be that, while Great Britain avows neutrality, her subjects are practically allies of the internal enemies of the United States? The President will not consent to believe that her Britannic Majesty's government would willingly allow a condition of affairs to occur which would seem to leave to the United States almost no hope of remaining at peace with Great Britain without sacrifices for which no peace could ever compensate.

The Secretary of the Navy is adopting all possible means to meet the new exigency which has occurred.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 374.]

Department of State,
Washington, October 20, 1862.

Sir: With reference to the operations of the insurgent steamer 290, an extract from a letter of Mr. Dabney, United States consul at Teneriffe, to Mr. Perry, chargé d'affaires at Madrid, is herewith appended.

I am your obedient servant,

WILLIAM H. SEWARD.

C. F. Adams, Esq., *&c., &c., &c.*

Consulate of the United States of America,
Teneriffe, Canary Islands, September 24, 1862.

Sir: * * * * * * * * *

The vessel referred to is probably the 290, a powerful vessel, which you are, of course, cognizant of, and an equally powerful steamer is necessary to overhaul her, which, perhaps, you may have the power to despatch after her. I would inform you that, about the 22d ultimo, two steamers and a ship, all showing the English flag, anchored at an out-of-the-way place, at the island of Terceira, Azores, and were two days engaged in passing cargo from the ship to the steamers, of which this is probably one, and there may have been two fitted out at that time.

I remain, sir, your most obedient,

WILLIAM H. DABNEY.

HORATIO J. PERRY, Esq.,
United States Legation, Madrid.

Mr. Seward to Mr. Adams.

No. 376]

DEPARTMENT OF STATE,
Washington, October 21, 1862.

SIR: I transmit herewith, for your information, a copy of an instruction of yesterday (No. 237) addressed to Mr. Dayton, in relation to alleged purposes of Great Britain and France to recognize the independence of the States in insurrection against this government. You may make any use of this despatch which you may deem advisable.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

[The instruction above referred to is placed according to date in the correspondence with France.]

Mr. Seward to Mr. Adams.

No. 378.]

DEPARTMENT OF STATE,
Washington, October 25, 1862.

SIR: Your despatch of October 10 (No. 238) has been received. Your reply to Earl Russell's note of the 4th instant on the subject of British outfits of British-built vessels from British ports, with British-shipped crews, to depredate on American commerce on the high seas, is approved by the President. I do not know how I could add a word to fortify or improve the clear, calm, and energetic protest which that paper contains.

I am sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 379.]

DEPARTMENT OF STATE,
Washington, October 25, 1862.

SIR: Your despatch of October 10 (No. 237) has been received. It shows that the President's proclamation has produced in Great Britain an impression similar in nature, and differing only in degree, from the effect which it has had here. Although, for obvious reasons, little was said on the subject in the correspondence of this department in anticipation of the proclamation, yet you must have well understood that the President did not adopt the sanguine expectations of those who assumed that it would instantaneously convert the foreign enemies of our country into friends. It is not now proposed to discuss with those persons the questions they so ingeniously raise, namely, whether the proclamation has not come too late, whether it has not come too early, or whether its effect will not be defeated by the fact that it is based upon military necessity, and not upon philanthropy. In regard to the first two points, they are raised by those for whom distasteful events are always unseasonable. In regard to the latter, it may be said that the Christian religion has proved none the less successful and beneficent to Europe, although it must be confessed that the mere charity inculcated by that religion was not the exclusive motive of Constantine in adopting and proclaiming it.

Time advances, and the national power will not lag behind it in bearing the proclamation into the homes which slavery has scourged with the crowning evils of civil war, and the most flagrant of political crimes—treason against the best constitution and the best government that has ever been established among men. There is reason to hope that the proceeding will divide and break the insurrection. The public mind has been disturbed, and the periodical occurrence of popular elections has been attended by extravagant expressions, as usual. But the policy of the administration will be practically acquiesced in and ultimately universally approved.

Your warning against hostile designs of a naval character have been submitted to the Secretary of the Navy. The delays of our new iron-clad vessels are painful and mortifying, but one cannot see where to charge fault; and we have some reason to hope that our energies, however unsatisfactory to ourselves, cannot be surpassed in effect by the enemies and their colaborers in Great Britain. We have now promises, which seem reliable, of all the vessels we need, within the period that is spent in a voyage across the ocean and back again.

Kentucky and Missouri, like Maryland, are free again. The war retires into Tennessee, as it has into Virginia. Expeditions up and down the Mississippi are nearly in readiness. General McClellan is preparing operations in Virginia, not so rapidly as our impatience demands, but, doubtless, with his customary care and comprehensiveness. General Mitchell will not long be idle before Charleston.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 381.]

Department of State,
Washington, October 25, 1862.

Sir: I send herewith copies of papers which have just been received from James E. Harvey, esquire, our minister at Lisbon, touching the depredations of piratical vessels built, armed, manned, and equipped in British ports, and despatched from such ports upon the American merchant vessels on the high seas near the island of Flores.

The President desires that you lay copies, or the substance of them, before Earl Russell in such manner as shall seem best calculated to effect two important objects: first, due redress for the national and private injuries sustained; and secondly, a prevention of such lawless and injurious proceedings hereafter.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

[The papers above referred to are printed in this series in the correspondence with Portugal.]

Mr. Seward to Mr. Adams.

No. 382.]

Department of State,
Washington, October 27, 1862.

Sir: The military events which seem to require a notice, when the mail is departing, are, first, the escape of the insurgents from Kentucky back into the mountains of Tennessee. General Buell's proceedings are, in some military quarters, thought to have been unnecessary dilatory; he has been relieved, and General Rosecrans, a very vigorous and accomplished officer, assumes the vacated command. Second, General Scholefield has defeated the insurgents in Arkansas, in which State they were attempting to make a stand after their second expulsion from Missouri. Third, General McClellan is on the eve of crossing the Potomac to challenge the insurgents as a beginning of the new campaign in Virginia. Fourth, re-enforcements are going to our forces in North Carolina, South Carolina, and New Orleans. These re-enforcements will have all needful naval co-operation. There are various political manifestations in North Carolina, Virginia, and Louisiana, which are not destitute of significancy, but it would be premature perhaps to specify them. It must suffice to say that it is a mistake to assume, as seems to be so freely assumed in Europe, that the President's proclamation of warning to the insurgent States will be either unfruitful or even unheeded. After there shall have been time to collect and ascertain the true effect of the extraordinary speeches and publications concerning our national affairs, which the last mail has brought us from Europe, I shall give you the impressions they shall have made on the mind of the President.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 383.]

Department of State,
Washington, October 27, 1862.

Sir: You will receive herewith the resolutions of the Chambers of Commerce of the State of New York, on the subject of the recent destruction at sea of American vessels near the Azores by pirates, who went forth upon that unlawful errand from British ports and waters.

You will judge how far the submission of these resolutions, which are so just in themselves, and so humane, to the notice of Earl Russell may conduce to the desired ends of redress for the past and prevention for the future which are indicated in another instruction sent to you under this date.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

[Circular—No. 27.]

DEPARTMENT OF STATE,
Washington, October 27, 1862.

To the diplomatic and consular representatives of the United States:

Under the leave of the President, I transmit herewith loyal, patriotic, and humane resolutions which have been adopted by the Chamber of Commerce of the State of New York in relation to the late destruction of American vessels in the vicinity of the Azores by vessels built, equipped, armed, manned, and despatched for that enterprise in the ports of a friendly nation.

Representations upon the same subject have been made by this department to the government of Great Britain. It will, therefore, not be expected that you shall publish these resolutions or adopt any official proceedings thereon, but will regard them as sent to you simply for your own information with reference to the condition of public sentiment in our country.

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK.

At a meeting of the Chamber of Commerce of the State of New York, held to consider what action, if any, should be taken in consequence of the burning at sea by the steamer Alabama of the ship Brilliant and other vessels, the following resolutions were unanimously adopted, to wit :

Resolved, That this chamber has heard with profound emotion the graphic account given by Captain Hager of the burning of his ship Brilliant on the 3d day of October instant, a portion of which is in the following words :

"At sunset the Brilliant was fired—at 7. p. m. was in flames fore and aft, the E. F. lying about a mile from her. The ship continued to burn all night. In the morning the steamer was close at hand, and the ship seen the afternoon before had worked up to the burning wreck during the night, probably with the expectation of saving life, but at daylight found herself in the clutches of her destroyer ! It continued calm during all day, and but a light air during the night. Towards midnight a bright light was seen in the direction of the steamer, and it is more than probable it was from the third ship."

Resolved, That, in view of this atrocity, it is the duty of this chamber to announce, for the information of all who are interested in the safety of human life—the life of shipwrecked passengers and crews—that henceforth the light of a burning ship at sea will become to the American sailor the signal *that lures to destruction*, and will not be, as in times past, the *beacon* to guide the generous and intrepid mariner to the rescue of the unfortunate.

Resolved, That henceforth self-preservation will be the first dictate of prudence, as it is the "first law of nature," and, consequently, that the destruction of the Brilliant can be only characterized as a crime against humanity ; and all who have knowingly and willingly aided and abetted must be considered as participators in the crime.

Resolved, That this chamber has not failed to notice a rapid change in British sentiment, transforming a friendly nation into a self-styled "neutral" power—the nature of which neutrality is shown in permitting ships to go forth with men, and in permitting an armament to follow them, for the detestable work of plundering and destroying American ships ; thus encouraging, upon the high seas, an offence against neutral rights, on the plea of which, in the case of the Trent the British government threatened to plunge this country into war.

Resolved, further, That the outrage consigning to destruction by fire, without adjudication, British and American property together, is an aggravation of the offence against the rights of neutrals, and ought to be denounced as a *crime* by the civilized nations of the world.

Resolved, That this chamber has heard with amazement that other vessels are fitting out in the ports of Great Britain to continue the work of destruction begun by the Alabama—an enormity that cannot be committed on the high seas without jeopardizing the commerce and peace of nations.

Resolved, further, That it is the duty of this chamber to warn the merchants of Great Britain that a repetition of such acts as the burning of the Brilliant by vessels fitted out in Great Britain, and manned by British seamen, cannot fail to produce the most wide-spread exasperation in this country; and hence they invoke the influence of all men who value peace and good will among the nations to prevent the departure of other vessels of the character referred to from their ports, and so to avert the calamity of war.

Resolved, That it is the desire of this chamber, as it is the interest of all its members, to cherish sentiments of amity with the people of Great Britain, to maintain those cordial relations which have led to profitable intercourse, and to strengthen the ties that knit them together in mutual courtesy and respect.

Resolved, That copies of the foregoing preamble and resolutions be sent to the Hon. Secretary of State of the United States and to the Board of Trade of London and Liverpool, and that the Secretary of State be requested to transmit copies of the same to the diplomatic agents of the United States for distribution in other commercial countries.

I hereby certify that the foregoing is a true copy of the resolutions from the minutes of the chamber.

JOHN AUSTIN STEVENS, JR.,
Secretary.

Mr. Adams to Mr. Seward.

No. 242.]

LEGATION OF THE UNITED STATES,
London, October 16, 1862.

SIR: I now transmit copies of further notes on the subject of the gunboat 290, in continuation of those sent with my despatch (No. 227) of the 26th of September. It is very manifest that no disposition exists here to apply the powers of the government to the investigation of the acts complained of, flagrant as they are, or to the prosecution of the offenders. The main object must now be to make a record which may be of use at some future day.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Enclosures.

1. Lord Russell to Mr. Adams, October 9, 1862.
2. Mr. Hamilton to Mr. Hammond, September 27, 1862.
3 Commissioners of Customs on No. 290, September 25, 1862.

FOREIGN OFFICE, *October* 9, 1862.

SIR: With reference to my letter to you of the 22d ultimo, I have the honor to enclose a copy of a letter which I have received from the board of treasury, forwarding the copy of a report from her Majesty's commissioners of customs relative to the supply of cannon and munitions of war to the gunboat No. 290.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

TREASURY CHAMBERS, *September* 29, 1862.

SIR: With reference to your letter of the 12th instant, and previous correspondence, I am directed by the lords, &c., to transmit herewith, for the information of Earl Russell, copy of a report, No. 478, dated 25th instant, of the commissioners of customs relative to the supply of cannon, &c., to the gunboat No. 290.

I am, &c.,

GEO. A. HAMILTON.

No. 478.] CUSTOM-HOUSE, *September* 25, 1862.

Your lordships having, by Mr. Arbuthnot's letter of the 16th instant, transmitted to us, with reference to Mr. Hamilton's letter of the 2d ultimo, the enclosed communication from the foreign office, with copies of a further letter and its enclosures from the United States minister at this court respecting the supply of cannon and munitions of war to the gunboat No. 290, recently built at Liverpool, and now in the service of the so-called Confederate States of America; and your lordships having desired that we would take such steps as might seem to be required in view of the facts therein represented, and report the result to your lordships, we have now to report:

That, assuming the statements set forth in the affidavit of Redden (who sailed from Liverpool in the vessel) which accompanied Mr. Adams's letter to Earl Russell to be correct, the furnishing of arms, &c., to the gunboat does not appear to have taken place in any part of the United Kingdom or of her Majesty's dominions, but in or near Angra Bay, part of the Azores, part of the Portuguese dominions. No offence, therefore, cognizable by the laws of this country appears to have been committed by the parties engaged in the transaction alluded to in the affidavit.

With respect to the allegation of Redden that the arms, &c., were shipped on board the 290 in Angra Bay partly from a bark (name not given) which arrived there from London, commanded by a Captain Quinn, and partly from the steamer Bahama, from Liverpool, we beg to state that no vessel having a master named Quinn can be traced as having sailed from this port for foreign parts during the last six months; the Knight Errant, Captain *Quine*, a vessel of 1,342 tons burden, cleared for Calcutta on the 12th of April last with a general cargo, such as is usually exported to the East Indies; but so far as can be ascertained from the entries, she had neither gunpowder, nor cannon on board.

The steamer Bahama cleared from Liverpool on the 12th ultimo for Nassau. We find that Messrs. Fawcett, Preston & Co., engineers and iron founders of Liverpool, shipped on board that vessel nineteen cases containing guns, gun carriages, shot, rammers, &c., weighing in all 158 cwt. 1 qr. 27 lbs.; there was no other cargo on board except 552 tons of coals, for the use of the ship; and the above-mentioned goods having been regularly cleared for Nassau in compliance with the customs law, our officers could have no power to interfere with their shipment.

With reference to the further statement in the letter to Mr. Dudley, the consul of the United States at Liverpool, that the bark that took out the guns and coals is to carry out another cargo of coals to the gunboat 290, either from Cardiff or Troon, near Greenock, we have only to remark that there would be great difficulty in ascertaining the intention of any parties making such a shipment; and we do not apprehend that our officers would have any power of interfering with it, were the coals cleared outwards for some foreign port in compliance with the law.

F. GOULHURA.
W. R. CREY.

To the Lords, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 243.]

Legation of the United States,
London, October 17, 1862.

Sir: About the time of writing my despatch No. 237, I was considering in my mind the expediency of asking a conference with Lord Russell in order to know whether the speech of Mr. Gladstone was to be regarded by me as conveying to the public the views of her Majesty's government. But as I was just then on the point of executing a promise I had made to visit Mr. W. E. Forster at his place in Yorkshire, I determined to put off a decision at least until after my return to London. In the meantime I have had the opportunity of free conversation with that gentleman, whose capacity, judgment, and tact in the treatment of American questions in Parliament have heretofore won for him much of my respect and regard. The conclusions to which I might have come were, however, greatly modified by the events which happened during the interval of my stay. It became tolerably apparent to me that Mr. Gladstone had been expressing his individual opinions and giving loose to his personal sympathy with the chief of the rebels, whilst his course was regarded by several of his colleagues as transcending the line of policy formerly agreed upon at the time of their dispersion for the summer. The first public indication of this took the shape of an informal notice in the *Globe*, an evening newspaper professing neutrality in our struggle, and occasionally used for that reason to express official opinions, which, not without a little sharpness towards Mr. Gladstone, drew a clear line between him and the ministry in regard to the sentiments in his speech. The next and more marked proof is to be found in the report of a speech made by Sir George Cornewall Lewis, and published in the morning papers, which is palpably designed to neutralize the influences which might have been and which in many quarters undoubtedly were drawn of an actual change in the cabinet policy.

Putting these things together, I was led to the belief that it was wiser for me not to meddle with the matter at all just now, but rather to let it blow over as a nine days' wonder. I prefer to avoid any appearance of anxiety or of distrust in the sincerity of the profession thus far made, and still more any proceeding which might be construed minatory. I shall therefore let this week pass away without making any sign of consciousness of what is going on.

On the other hand, the fact is very certain that the departure of Lord Lyons has been again postponed. The last time I saw him he announced to me that he should go on the 11th. Yet he is still here, and there is no sign of his immediate moving. Concurrently with this delay comes a notice that the first cabinet council is called for the 23d instant, which is earlier than usual, and intimations appear that one reason for this anticipation is the urgent nature of the American difficulty. Without putting too much stress on these unauthorized conjectures, it is perfectly fair to infer some connexion between the approximation of the cabinet meeting and the postponement of Lord Lyons's return. I do not therefore doubt that the opportunity will be taken to reconsider the situation, and to lay down the line of policy for the regulation of the minister during the subsequent season. How far the question of a recognition of the insurgents will enter into the deliberation I will not venture to predict. My own opinion is that that event now depends almost entirely on the fortune of the war. If we prove ourselves by February next no more able to control its results than we are at this moment, it will be difficult for ministers longer to resist the current of sentiment leaning in that direction in both houses of Parliament. I do not know that many of them will be longer inclined to do so. Even the unpleasant alternative of appearing to uphold slavery against the action of a free government will be acquiesced in as an overruling necessity dictated by the popular opinion. I feel it my duty to say thus much, in order to prevent the smallest misconception of the existing state of things on this side in the minds of the government at home.

But it has occurred to me that, prior to this day of meeting, it may be expedient for me to solicit an interview with Lord Russell to dispose of other matters which have been left pending for some time past. I may then be able incidentally to open a way to the subject most interesting to both countries, and to invite informal disclosures, if any are to be made, as well as in the same way to intimate probabilities which may ensue in certain contingencies that can be imagined. The matter requires delicate treatment, but, as at present advised, I am inclined to venture upon the experiment. Whatever the results of it may be, I shall endeavor to lay them faithfully before you in my next.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 244.]

LEGATION OF THE UNITED STATES,
London, October 23, 1862.

SIR: I have to acknowledge the reception of despatches from the department numbered 362 and 363; likewise a printed circular, No. 24, of the 25th of September, respecting the renewal of passports. This leaves two despatches, Nos. 360 and 361, yet unaccounted for.

I now transmit a copy of Lord Russell's note to me of the 16th instant, in reply to mine of the 9th, a copy of which was forwarded with my despatch No. 238, of the 10th of October. The attitude of indifference to the consequences of their own inaction under the provisions of the enlistment law is continued, and will probably remain to the last. In the meantime the vessel which was suffered to escape is continuing its piratical voyages on the ocean. Mr. Dudley will send you further particulars received by the captain of the ship Emily Farnum, who has arrived at Liverpool. I know not what has become of the

Tuscarora. The probabilities are that the next attack will be made on the California steamers.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

FOREIGN OFFICE, *October* 16, 1862.

SIR: I have the honor to acknowledge the receipt of your letter of the 9th instant, enclosing a copy of an intercepted letter which you had received from the United States government, being the further evidence with regard to the gunboat No. 290, to which you alluded in your previous communication to me of the 30th ultimo, and with reference to your observations with regard to the infringement of the enlistment law, I have to remark that it is true the foreign enlistment act, or any other act for the same purpose, can be evaded by very subtle contrivances; but her Majesty's government cannot, on that account, go beyond the letter of the existing law.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 248.] LEGATION OF THE UNITED STATES,
London, October 24, 1862.

SIR: Following up the plan suggested in my despatch No. 243, I asked an interview with Lord Russell. He gave it to me yesterday. The cabinet meeting appointed for that time had been postponed until to-day, which will yet be in season for the departure of Lord Lyons, who goes in the Scotia to-morrow. My surmise as to the connexion between the two events proved correct.

I opened the conversation with a reference to the topic which had occupied us at our last meeting, the remonstrance of Lord Palmerston against a sentiment supposed to have been attributed to him by me on the strength of a statement made by the commander of the Quaker City. Since that time, I said that I had had communication with the government at home, and had received a despatch on the subject which seemed to me finally to dispose of it. I then read the essential parts of it, and expressed the hope that his lordship would communicate the information to Lord Palmerston. His lordship said that he would do so, and that this would dispense with the necessity of saying anything about it through Lord Lyons.

I then turned in a half serious way to the departure of Lord Lyons, and expressed a hope that he was about to go with a prospect of remaining for some length of time. For myself I was obliged to confess that I had lately been called somewhat suddenly to the consideration of the condition of my travelling equipage, in certain possible contingencies, which at one moment seemed to approach more nearly than I liked. If I had trusted to the impressions generally prevailing here, directly after the delivery of a certain speech, my conclusions as to my departure would have been absolute. But I preferred to wait until later developments, like those which had since taken place, should give a more definite idea of the extent of the authority to which it was entitled. The speech of Sir George Lewis had done much to set the balance once more even.

His lordship took my allusion at once, though not without a slight indication of embarrassment. He said that Mr. Gladstone had evidently been much misunderstood. I must have seen in the newspapers the letters which contained his later explanations. That he had certain opinions in regard to the nature of the struggle in America, as on all public questions, just as other Englishmen had, was natural enough. And it was the fashion here for public men to express such as they held in their public addresses. Of course it was not for him to disavow anything on the part of Mr. Gladstone; but he had no idea that in saying what he had, there was a serious intention to justify any of the inferences that had been drawn from it, of a disposition in the government now to adopt a new policy.

I replied that I did not expect a disavowal nor even did I seek to impute to Mr. Gladstone an intention of the kind referred to. At the same time, I could not sufficiently express my great regret at the occurrence on account of the ill effects it was likely to have upon the relations of the two countries. On the one side, it would be reprinted in every newspaper in America, and construed as an official exposition of the policy of the government; and in this view it was scarcely necessary for me to say how much it would tend to increase the irritation already very great there. On the other, it was having a great effect in concentrating the popular inclination in this kingdom which was swaying every day more and more unfavorably to us. I regretted to be obliged to confess that from the day of my arrival, I had observed a regular and steady decline of good will towards the United States. Lord Lyons had been to see me in the morning. Whilst we had united in deploring the respective tendencies on the two sides, we had also joined in expressing our intention to continue our utmost efforts to counteract them. But for my part I was much less sanguine of success when I perceived the influences brought to bear upon opinion here by leading men.

Lord Russell admitted that opinions were much divided and that there had been an unfavorable change to us going on. But he still thought that in most popular meetings the greater number would sympathize with the United States.

To which I replied that, admitting it might be so now, this slight preponderance would soon disappear under the effect of two or three more speeches like that of Mr. Gladstone. Whilst I was willing to acquit him of any deliberate intention to bring on the worst effects, I could not conceal from myself the fact that he was doing it quite as certainly as if he had one.

His lordship intimated as guardedly as possible, that Lord Palmerston and other members of the government regretted the speech, and Mr. Gladstone himself was not disinclined to correct, so far as he could, the misinterpretation which had been made of it. It was still their intention to adhere to the rule of perfect neutrality in the struggle, and to let it come to its natural end without the smallest interference, direct or otherwise. But he could not say what circumstances might happen from month to month in the future. I observed that the policy he mentioned was satisfactory to us, and asked if I was to understand him as saying that no change of it was now proposed. To which he gave his assent.

I remarked that this answer left me nothing more to trouble him with, and then took my leave.

I ought to observe that before my interview, I met with Baron Brunnow, the Russian ambassador, in the ante-chamber, and he took me aside on his return from his conference to express his firm belief that the government here intended faithfully to adhere to their policy. He reminded me of a former meeting of the same kind, when I appeared to doubt, and he had said the same thing. So far, he had proved to be right. I admitted the fact, but added that at some future time I might, perhaps, be able to put him in possession of the evidence which had then affected my judgment. I could not do it just now.

The public speeches of members of Parliament to their constituents appear in the papers almost every day. I think they are much more guarded than they were just after Mr. Gladstone's. The general opinion now is that he was very indiscreet. But I see no change in the current. Indeed, nothing short of a very decisive victory in Virginia will avail to check it.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 249.]

LEGATION OF THE UNITED STATES,
London, October 24, 1862.

SIR: It is proper for me to say that I receive from a credible source intimations that some of the escapes from the blockade are known here to have been effected by connivance and bribes to the officers commanding United States vessels. I know not myself how to account for some of the statements current here in any other way. I feel it my duty to make this representation without meaning to implicate any person in particular, only because the prevalence of such rumors in this country do much harm to the national character.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 250.]

LEGATION OF THE UNITED STATES,
London, October 28, 1862.

SIR: There is so decided an official tone in the leader in the *Globe* of Saturday last, that I deem it advisable to put you in possession of it out of the ordinary course. The cabinet meeting which was called for Thursday did not take place; but there can be no doubt that the policy marked out in this publication must have been informally agreed upon for the guidance of Lord Lyons on his departure the same day. Doubtless his lordship will have himself enlightened you before this arrives.

The insurrection in Greece is a new event, not unlikely to be productive of further complications in Europe. The agitation of the eastern question, as indicated in the published correspondence between the Russian and the British cabinets, is also an element of importance in estimating the probabilities of the approaching year. Possibly the rapid increase of clouds in this atmosphere may have had its effect in producing the most decided manifestation of good will to the President that has been made since I have been here. The effect here will be beneficial.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

[From the London Daily Globe of October 25.]

Lord Lyons leaves England to-day to resume his post as the representative of her Majesty at Washington. We have no doubt that the ability and discretion by which his tenure of that office has been hitherto marked will continue to stand the country in good stead, and that our intercourse with the President's government will remain as peaceful and uninterrupted as the best friends of England and America could wish. At a moment of great delicacy and difficulty Lord Lyons comported himself to the complete satisfaction of his government and the public, and should he have any similarly grave task before him, he will doubtless fulfil it with equal success. But the principal reason for our confidence in anticipating smoothness in our transatlantic relations is based upon the great improbability of any cause of political differences arising between the government at Washington and our own. We hear, indeed, of something like an inadmissible course of proceeding on the part of Commodore Wilkes in the Bahamas. As yet our information is imperfect, and we are unable positively to say how far that officer may have been trying to lay the foundation of a new chapter on international law, based on his own abnormal views, or whether he is merely exercising those rights in a somewhat vexatious manner, which are liberally accorded to belligerents by the usages of nations. But we feel sure that if Commodore Wilkes transgresses the fair bounds of warfare, his government will not sanction his acts, and as they repudiated him before, so, if there be occasion, they will repudiate him again. We have the fullest confidence that President Lincoln's government will not act in a manner to impose any unpleasant duty upon our representative at their capital.

On the part of her Majesty's ministers we may feel equally confident that no course will be pursued calculated to give any just cause of offence to the still great state beyond the Atlantic. Up to this our policy as regards the northern States has been clear, wise, and unselfish, and it will continue so. If impressions have arisen that any immediate change in our position as regards the belligerents was about to take place, and that Lord Lyons was to carry off in his pocket instructions likely to lead to a crisis on his landing, they have only originated in a kind of superabundant mental agility on the part of some of the public who have turned a fixed plank into a springboard, and have jumped from a minister's plain narration of a fact scarcely to be denied, to an extravagant and unjustifiable hypothesis. Many, no doubt, believed that the meeting of the cabinet appointed for last Thursday would result in the recognition of the southern confederacy, and those who somewhat inconsiderately press such an important step at the present moment upon the government have precedents cut and dried for our taking such a course. There is scarcely a single diplomatic step for which a precedent cannot be unearthed on both sides, and if the government were merely to follow precedent in a case of such extreme gravity, they would be miserable *doctrinaires*, instead of statesmen fit to judge of a great question upon its merits and its practical bearings on the vast interests involved. Pedants and enthusiasts may not look at consequences; but those who undertake to guide the councils of a great country must well weigh the advantages, and not only the probable but even the possible effects of what they ecommend. Even those who are most eager for the recognition of the southern States as a member of the family of nations, even those who form the most sanguine estimate of its effects upon our own material interests, must admit that its accomplishment will precipitate upon us a future of great gravity, which it would be almost criminal for us to seek to hasten without the strongest reason and the most solemn consideration. We do not expect to find that her Majesty's government have resolved on such a course, or that they have adopted a policy the very expediency of which is debatable, even if its accomplishment were less difficult. When we speak of its expediency we do not use the word in any narrow or unworthy sense, but as regards the practical effect of the step in prolonging or terminating the contest by which America is convulsed and Europe shocked. We have no doubt that in the interests of humanity and civilization the government of Great Britain would be glad to take any steps and assume any responsibility if there were a prospect of their being able to change this vast scene of fratricide into one of peace. But suggestions, still less interference, should only be offered where the circumstances render it probable that they would be effectual. In the present instance they would be met with difficulties at the very threshold, and might defeat their own object. While we all deplore the continuance of this struggle—while we would all make sacrifices to bring it to a termination—we must not forget the dictates of wisdom and avoid interference, at least until we have good reason to think it will not be useless or mischievous.

Mr. Adams to Mr. Seward.

No. 253.] LEGATION OF THE UNITED STATES,
London, October 30, 1862.

SIR: I have now received the missing despatches of last week (No. 360 and 361) and likewise despatches numbered from 365 to 368, inclusive.

The books referred to in No. 365, of the 7th of October, have likewise arrived in safety.

Immediately after the reception of your No. 360, of the 30th of September, I applied to Lord Russell for an interview, which I obtained this morning at half-past ten o'clock. I then stated to his lordship the substance of your communication so far as was necessary to put him in a position to reply to the preliminary inquiry whether his government was disposed to negotiate about it at all. He replied in the negative. I gathered from what he said that the whole matter had been under consideration with the ministers for some time back, and that the Duke of Newcastle had had much correspondence with the authorities in the West India colonies about it. The conclusion had been that on the whole it might be the means of entangling them in some way or other with the difficulties in the United States by possible reclamations of fugitives or in some other way, or danger which they were most desirous to avoid. Hence they should not be inclined to enter upon negotiations, and least of all to adopt the form of a convention.

I explained the reasons why we had wished to take this course, our object simply being to secure for those persons voluntarily disposed to emigrate (and we did not mean to include any others) the enjoyment of the rights to which they would be justly entitled as colonists. His lordship seemed so to understand it. But he remarked that some time ago an agent had been sent from the West Indies to the United States to see if sufficient inducements could be held out to the free negroes to emigrate, but he had found them so comfortable and earning so much higher a rate of wages than could be obtained at the place he came from that any transfer of them seemed out of the question.

I then referred to an application that had been made to me by a private individual here by the name of Davis, styling himself the representative of much landed property in the island of Jamaica, to obtain as many as five thousand families, to whom he would be ready to assign lands if the expense of transportation could be paid for. I had answered the gentleman by referring him to my own government, and that only after he should have made his own aware of his object and ready to approve it. His lordship said he supposed that the grant of land would be only in consideration of labor. He thought it very likely that many of these people might ultimately find their way over from the United States, but he did not consider it expedient just now to make any provision about it. He expressed a little surprise that Hayti had not been preferred. I observed that efforts had been made in that direction, and some emigrants had actually gone, but the negroes were sluggish to move, and they were deterred by the difference of language and habits. I had always thought that fewer obstacles would be found to removal to the English islands than to any other after it should once be set agoing. His lordship admitted it as very possible, at least to those of them where there was a sensible deficiency of labor. But the rate of wages, though rising, was still quite low.

Under these circumstances, I remarked that it seemed of no use for me to press the point further. I should, accordingly, make report of his lordship's answer as definitively closing the matter.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 384.]

DEPARTMENT OF STATE.
Washington, October 30, 1862.

SIR: I send herewith a communication which has been received at this department from the Secretary of the Navy, giving information of a breach of international obligations by the commander of her Britannic Majesty's gunboat Bull Dog, in July last, by transporting from Nassau to Bermuda one Pegram and seven other persons, who were proceeding from this country to England to take commands in the gunboat 290, a steam war vessel then being built, manned, and equipped in, and since despatched from, a British port, and since engaged in committing depredations on American commerce on the high seas, equally in violation of the treaties existing between Great Britain and the United States, the law of nations, and the laws of Great Britain.

The President desires that you will bring the subject to the notice of Earl Russell, and ask that an examination of the case may be instituted, and that such redress may be thereafter afforded to the United States as the result of the investigation shall give them a right to expect.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Welles to Mr. Seward.

NAVY DEPARTMENT, *October* 29, 1862.

SIR: I have the honor to transmit herewith a copy of a communication received from Rear Admiral Charles Wilkes, commanding the West India squadron, reporting the infraction of the neutrality regulations by the commander of her Britannic Majesty's gunboat Bull Dog, in transporting officers from Nassau to Bermuda, in July last, on their way to England to take charge of vessels about to fit out there under the rebel flag.

Very respectfully,

GIDEON WELLES,
Secretary of the Navy.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Rear Admiral Wilkes to Mr. Welles.

No. 4.] FLAG STEAMER WACHUSETT,
Havana, October 11, 1862.

SIR: I have to communicate to the department the infraction of the neutrality regulations by the commander of her Britannic Majesty's gunboat Bull Dog, in transporting Captain Pegram and seven officers from Nassau to Bermuda, in July last, on their way to England to take charge of the 290, or other vessels about to fit out there under the secesh flag, and that I have but little doubt that the officials, both at Nassau and Bermuda, were aware of and assented to the violation. This information I have from most reliable authority—those who knew Captain Pegram and Lieutenant Bennett well, and witnessed their arrival at Bermuda and embarcation on board the mail packet for Halifax. They staid but a few hours at Bermuda.

I am, very respectfully, your obedient servant,

CHARLES WILKES,
Rear Admiral, Commanding West India Squadron.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 385.] DEPARTMENT OF STATE,
Washington, November 3, 1862.

SIR: The Arabia has not yet arrived at her destination, and her mails can hardly be expected before the hour appointed for the departure of this communication.

The military transactions which I have to relate are not striking, although they are not unimportant. The navy have reduced to occupation two new positions on the southern coast—Sabine Pass and Galveston. The blockading fleet has captured three of the steamers which were fitted out in England and despatched from British ports with arms and other supplies from the insurgents.

The Spanish authorities in Cuba make reclamation (justly if the facts sustain it) for a violation of their sovereignty in the driving ashore of and destruction of a British steamer, the Blanche, upon that island loaded with cotton. But on the other hand statements are made which show that the so-called Blanche was none other than the insurgent steamer General Rusk, freighted with four hundred slaves carried from Texas to Mulata, and that her loss was an act of self-destruction.

General McClellan's army has crossed into Virginia, and its advance has already had some skirmishing with the insurgents in the rear of Leesburg, which is again reoccupied by the national forces.

You will notice the statements of the press concerning an emeute of the colored population in the island of Saint Vincent. It is now said to have not merely a social but even a political signification. There are rumors, I know not how accurate, of uneasiness among the slaves in Cuba. The question becomes a serious one whether the political sympathies with slavery in the United States, which have been so universally cherished in Great Britain, are producing discontents among the whole African population, the free as well as the enslaved, in the West Indies. It is always dangerous for any people to abet treason in another country, and especially dangerous to force revolution in opposition to the progress of humanity.

The telegraph announces the destruction of another half dozen American vessels on the high seas by the steamer 290. The President is obliged to regard these destructions as being made by British subjects in violation of the law of nations after repeated and ample notice, warning, and remonstrances had been given by you to the British government. It is presumed that you have already brought the subject in that light to the notice of her Majesty's government. The legal proofs in support of a claim for indemnity will be collected and transmitted to you as speedily as possible.

It is hardly necessary to advise one so well acquainted as you are with the working of our system of popular elections against being disturbed by the exaggerations of the political canvass which closes to-day. No apprehensions of any change of the policy of the country in regard to the suppression of the insurrection are indulged here.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

[Copy of an excerpt from newspaper.]

New York, *November* 2.—Port Royal dates to the 29th ultimo have been received.

Two British rebel steamers, the Anglia and Scotia, were captured on the 27th ultimo and taken to Port Royal. The two steamers, with their contraband cargoes, are valued at one million of dollars.

Another British steamer, the Minaho, was run ashore and destroyed.

It was reported at Port Royal that the rebel ram was coming down the river from Savannah.

Mr. Seward to Mr. Adams.

No. 386.]

Department of State,
Washington, November 3, 1862.

Sir: Mr. Dudley, our consul at Liverpool, informs us that two war vessels which are on the stays at Birkenhead are announced by the press as being built ostensibly for the Chinese government, but really to depredate on American commerce, as the 290 is doing. The President hopes that you will make such representations concerning them and all similar enterprises to her Majesty's government, as may induce them to consider whether it can be claimed that a nation is really neutral when vessels-of-war, without restraint and with impunity, are built, armed, manned, equipped, and sent out from its ports to make war on a peaceful and friendly nation.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 387.]

Department of State,
Washington, November 4, 1862.

Sir: Your despatches by the Arabia are received, but there is not time for special notice of them before the closing of the mail.

All our land and naval operations are going on with vigor. Those who in Europe have supposed that this government is either idle or ineffective will be undeceived in time, I trust, to abate their desires for measures which would bring the two continents into collision upon a question which belongs chiefly to America, but on which both continents ought to be agreed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr Seward to Mr. Adams.

No. 389.]

DEPARTMENT OF STATE,
Washington, November 4, 1862.

SIR: Your despatch of October 17 has been submitted to the President. It is not pleasant to a loyal American to see a European cabinet discussing before a European people the question whether they will continue to recognize the existence of this republic. But this is a part of the painful experience of the evil times upon which we have fallen. While treason goes abroad from among ourselves to invite foreign nations to intervene, we have no right to expect those nations to judge us candidly, much less to judge us kindly or wisely. It would be, above all things, unreasonable to expect such charitable judgments from political parties in foreign countries, intent only on the objects of their own ambition. Fortunately we have the right to be free, independent, and at peace, whether European political parties wish us to be so or not. I think, also, we have the power to be so. While European parties, according to your representation, are even more hostile to our country now than ever before, it is, on the other hand, a source of much satisfaction to know that this same country of ours not only is but also feels itself to be stronger and in better condition and position to encounter dangers of foreign intervention than it has been at any former period; and that if any additional motive were necessary to sustain its resolution to remain united, independent, and sovereign, that motive would be found in the intervention by a foreign state in the great and painful domestic transactions in which it is engaged.

The wheel of political fortune makes rapid revolutions. It is less than three years since all Great Britain manifested itself desirous of the friendship of the United States. A similar desire may, before the lapse of a long period, occur again. Neither politicians nor statesmen control events. They can moderate them and accommodate their ambitions to them, but they can do no more.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 390.]

DEPARTMENT OF STATE,
Washington, November 4, 1862.

SIR: Your despatch of October 16 (No. 242) has been received. The President regrets that he is unable to find in the proceedings of her Majesty's government satisfactory evidence that it proposes to render redress to the United States for the injuries sustained by their citizens in the arming, fitting out, and despatch of the 290 on her errand of commercial devastation, or to prevent injurious enterprises of the same character from being carried into execution. Nevertheless, still trusting that the government of Great Britain may come, after careful consideration, to think the subject worthy of a review, the evidence in the case of the 290, as it shall be received, will be transmitted to you to be laid before Earl Russell. You will, in the meantime, communicate the effect of this despatch to his lordship.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 392.]

DEPARTMENT OF STATE,
Washington, November 10, 1862.

SIR: Your despatch of October 24 (No. 248) has been received. It is a source of satisfaction to know that the expectations that Great Britain would speedily give her aid to sustain the failing insurrection here, which disloyal citizens at home and abroad had built upon the extra-official speeches of the British chancellor of the exchequer, were unreal and purely imaginary. The President trusts that the day is far distant, indeed he hopes a day may never come, when two kindred nations shall consent to apply to purposes of mutual destruction energies which, if combined, are capable of carrying forward to a pitch never yet fully contemplated the improvement in the condition and character of mankind. Such an apprehension could never have entered the American mind if it had not been schooled by the experiences of our unnatural civil war to fear that popular but ephemeral passion and prejudice may sometimes, in any country, over-master all sentiments of national prudence, truth, justice, and humanity.

This government does not fail to see what Europe wants, and to see that it is just what the United States want, namely, a speedy and absolute conclusion of the war. Nor does the government fail to see that it is demanded with equal impatience on both continents. It may be possible that greater activity and energy than have been exhibited could have been put forth to secure that end. But it is believed that on a calm and critical examination it will appear that, considering the situation of the country, the very popular character, and the very complex republican form of the constitution, the magnitude of the insurrection, the peculiarity of the moral and dynastic principles which are involved, and the foreign influences which have intervened, the progress which the government has made in suppressing the insurrection is an achievement which has never been surpassed.

At the present we are apprehending no insurmountable obstacles to complete success. Our army in Virginia, as you will learn from the newspapers, is already approaching the Rapidan, without having encountered serious opposition. General Grant is advancing into the heart of Mississippi. General Rosecrans is moving forward in Tennessee. Expeditions by land and water, greater in force than any preceding one, will soon be on its way to the southern coast.

The conviction which I have so confidently expressed to you during the last six weeks, that the insurrection is becoming exhausted, and which event seemed so strange at the time and under the circumstances when it was expressed, is now becoming generally accepted, and I see with pleasure that it begins to find favor in England. You did not exaggerate, in your conversation with Earl Russell, the injurious influences here of the speech of the chancellor of the ex chequer. Indeed, no one can even fully appreciate the importance which nations, when excited, attach to the conventional utterances of persons in authority. When it is remembered that a year ago the public mind in Great Britain, and even that of her Majesty's government, was affected by the representation of alleged speeches and conversations of my own, delivered before my coming into my present position, it seems strange that a British minister should be willing to speak, extra-officially and without a government purpose, upon an American question in a sense which might be interpreted as one of intervention, if not of menace. It was to prevent all such unfortunate proceedings on the part of the representatives of the United States that the new restraints upon our ministers and consuls, of which you have already been advised, were imposed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 394.]

DEPARTMENT OF STATE,
Washington, November 10, 1862.

SIR: It is probable that the ground which the enemies of the Union in Europe will next assume, in prosecuting their war against it, will be an alleged defection of popular support of the government at the elections recently held in the loyal States. The reports of the results of these elections in the forms adopted by the press are calculated, though not designed, to give plausibility to this position. I observe that these reports classify the members of Congress chosen as *union* and *democratic*, or union and opposition. Such classifications, though unfortunate, do less harm here, where all the circumstances of the case are known, than abroad, where names are understood to mean what they express. Last year, when the war began, the republicans, who were a plurality of the electors, gave up their party name, and, joining with loyal democrats, put in nomination candidates of either party under the designation of a union party. The democratic party made but a spiritless resistance in the canvass. From whatever cause it has happened, political debates during the present year have resumed, in a considerable degree, their normal character, and while loyal republicans have adhered to the new banner of the union party, the democratic party has rallied and made a vigorous canvass with a view to the recovery of its former political ascendency. Loyal democrats in considerable number retaining the name of democracy from habit, and not because they oppose the Union, are classified by the other party as "opposition." It is not necessary for the information of our representatives abroad that I should descend into any examination of the relative principles or policies of the two parties. It will suffice to say that while there may be men of doubtful political wisdom and virtue in each party, and while there may be differences of opinion between the two parties as to the measures best calculated to preserve the Union and restore its authority, yet it is not to be inferred that either party, or any considerable portion of the people of the loyal States, is disposed to accept disunion under any circumstances, or upon any terms. It is rather to be understood that the people have become so confident of the stability of the Union that partisan combinations are resuming their sway here, as they do in such cases in all free countries. In this country, especially, it is a habit not only entirely consistent with the Constitution, but even essential to its stability, to regard the administration at any time existing as distinct and separable from the government itself, and to canvass the proceedings of the one without the thought of disloyalty to the other. We might possibly have had quicker success in suppressing the insurrection if this habit could have rested a little longer in abeyance; but, on the other hand, we are under obligations to save not only the integrity or unity of the country, but also its inestimable and precious Constitution. No one can safely say that the resumption of the previous popular habit does not tend to this last and most important consummation, if at the same time, as we confidently expect, the Union itself shall be saved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, *&c.*, *&c.*, *&c.*, *London.*

Mr. Seward to Mr. Adams.

No. 395.]

DEPARTMENT OF STATE,
Washington, November 10, 1862.

SIR: Your despatch of the 24th of October (No. 249) has been received. I have lost no time in communicating the information it contains to the Secretary of the Navy, and he will doubtlessly direct an inquiry to be made upon the subject. In the meantime I am authorized to say that the President, while he thinks that possibly some of our naval officers might, in some cases, have practiced greater energy in enforcing the blockade, has had no reason to question either the integrity or the loyalty of any one intrusted with that honorable command. When we consider the number of contraband vessels recently captured or destroyed, it seems probable that the communications which we shall next receive from Europe will be of a character very different from the one now before me. Instead of suggestions for explaining too great laxity, I expect that we shall soon again hear complaints of too great rigor.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 396.]

DEPARTMENT OF STATE,
Washington, November 10, 1862.

SIR: Your despatch of the 23d of October (No. 244) has been received. The President regrets that her Majesty's government has not more favorably considered our complaints against the violations of municipal and international law, committed by British subjects under the British flag, in the case of the steamer "290," or "Alabama." It is to be apprehended that attempts by the same and similar vessels to repeat the same injuries will ultimately require a more deliberate consideration of the subject than the government now seems willing to accord.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 399.]

DEPARTMENT OF STATE,
Washington, November 14, 1862.

SIR: Your despatch of October 28 (No. 250) has been received. The President is gratified with the indications of the appearances of a less intolerant opinion in the political circles of Great Britain, to which you have directed his attention. It is surely quite time that there should be a change. Think, for a moment, of the singular transaction in which this government is now actually engaged, namely, the fortifying of New York harbor to resist a piratical expedition coming from Liverpool—Liverpool, a chief port of a great nation with whom we are at peace, to whose capitalists we are sending gold, and whose sufferings we are supplying with bread. It seems too strange to believe, and yet what menace of this kind can we discredit after the experience of our merchantmen destroyed on the high seas by the Alabama.

Lord Lyons has arrived and he has been received as he deserves, with a friendly and cordial welcome.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 403.]

DEPARTMENT OF STATE,
Washington, November 18, 1862.

SIR: The European mail comes in at the moment of the sealing the outgoing despatches.

The military movements, though important, are not striking. Major General Burnside, now in command of the army of the Potomac, has put it in motion, and events of some significance may be expected within a few days. A part of Major General Banks' expedition is already afloat, and the whole will probably reach the important destination within a week. Some successful movements have been made in North Carolina and in Louisiana. Major General Grant is advancing with apparent success in Mississippi, and additional columns to move by land and water are proceeding towards the Gulf from Cairo and St. Louis. General Rosecrans is advancing towards the enemy in East Tennessee. A general conviction that the war is moving on towards an early and successful conclusion is taking possession of the popular mind. It is based as much upon the evidences of exhaustion of the insurgents as upon our own military movements. Mr. Ericsson seems to be successful in giving new and wonderful efficiency to the iron-clad steamer, and we begin to expect that the power which we have been so long preparing in that form will be in readiness for the piratical navy which, we are warned, is coming from the British shore to the rescue of the insurrection. The blockading squadron seems to have of late been very effective. Its captures have been so many and important as to excite a hope that the contraband trade will fall into discouragement.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 404.]

Department of State,
Washington, November 18, 1862.

Sir: Your despatch of October 30th (No. 253) has been received.

Your proceedings in submitting to Earl Russell the proposition of this government in regard to the voluntary colonization of Americans of African descent in the British colonies are approved. The question of an ultimate disposition of this portion of our population has been abruptly forced into discussion by the civil war. If events occurring at home had left us at liberty to overlook it, the suggestions which have been made to us on the subject, directly as well as indirectly, from foreign countries, could not wisely be treated with neglect. Under these circumstances the President has thought it judicious to hear and to consider carefully the various projects which are offered, and to afford facilities for experimental trial of these projects, so far as can be done consistently with sound policy and with the promotion of justice and humanity. While some of them are thus ascertained to be impracticable, it may be hoped, nevertheless, that we are drawing near to the discovery of a feasible policy which will solve, perhaps, the most difficult political problem that has occurred in the progress of civilization on the American continent. It may be well for you to state to Earl Russell that this government entertains no sentiment of dissatisfaction with his declination of our proposition.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 257.]

Legation of the United States,
London, November 6, 1862.

Sir: From representations made by Mr. Dudley, the consul at Liverpool, which lead to the belief that the pirate 290 is about to return to its old cruising ground off the western islands, I have been induced once more to call the attention of the officers of the Tuscarora and Kearsarge to the necessity of protecting the trade from India. I fear that neither of them separately, nor indeed both together, are any match for the shrewdness and enterprise of Captain Semmes, who has a vessel very capable of escaping from every risk of encounter. The exploits of this vessel by no means give rise to a feeling of entire satisfaction on this side of the water. A strong proof of this is to be found in the proceedings of the Chamber of Commerce at Liverpool, where is the greatest sympathy with the rebellion. Mr. Dudley will undoubtedly furnish you with a copy of them. The leading newspapers in London have discussed the subject according to their biases; but not without betraying a good deal of misgiving as to the position of their government in respect to it, although they are evidently without the knowledge of all the facts. I am told, though not by authority, that some parties who yet hold an interest in her, from not having been paid, have taken advice as to the extent of their responsibility in case of reclamations being made. Having myself considered from the outset such a proceeding probable, I have shaped my course in my correspondence with Lord Russell mainly to the preparation of a record to sustain it.

The activity in forwarding supplies of all sorts to the British islands continues unabated. I learn that orders from Charleston to procure Armstrong and Whitworth guns, at any cost, are in process of execution in anticipation of an expected attack on that point.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 408.]

DEPARTMENT OF STATE,
Washington, November 21, 1862.

SIR: Your despatch of November 6 (No. 257) has been received, and the measure you adopted of directing the attention of the commanders of the Tuscarora and Kearsarge to the new piratical proceedings threatened by the 290 is approved. I have already communicated the information which your despatch brings to the Secretary of the Navy.

Our consul at Quebec writes that the British war steamer Ariadne has been sent from that place by Rear Admiral Milne to cruise for the same offender. Having accepted this information as true, it excites some surprise to find that the purpose of the British government in this respect has not been made known to you in London.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, December 3, 1861.

MY LORD: I have the honor to acknowledge the receipt of your lordship's note of the 30th November last, in which you review the explanations of the Secretary of the Navy which I have submitted to you concerning the cases of two seamen of the British schooner Revere, and two other seamen of the British schooner Louisa Agnes, which two schooners were captured, though at different times, in attempts to break the blockade of the ports held by the insurgents. I have read your objections to these explanations with great care, and, as I trust, with candor, inspired by a sincere desire to concede to the complainants whom you represent any redress to which they might be found entitled, and to preserve the best possible understanding with the government of Great Britain. The Secretary's explanations do, in fact, show, as you have assumed that the two seamen of the schooner Revere were confined for two or three days in single irons in the day time, and in double irons during the night, and that after the period thus passed they were left at liberty during the greater part of the day but confined at night. I cannot admit, however, that you are perfectly just in calling this confinement hard treatment. You notice the explanation, that confinement of the seamen with irons to the extent practiced was resorted to in order to prevent their rising and retaking the vessel; but you object that no information is given from which an opinion can be formed as to the reasonableness of the precaution, and that no evidence is adduced of there having been ground for suspecting the men of a design to retake the vessel, or for apprehending that they had the means of executing such a design. Whether the restraints practiced upon the two seamen in question were "hard treatment" and a severe measure, as you have characterized them, or whether it was proper treatment, of course depends altogether, as you seem to admit, upon the circumstance whether those restraints exceeded the rigor which reasonable prudence required for the security of the capturing vessel and her prize on their way to port for adjudication.

You seem to have assumed that any confinement of the seamen, especially in irons, in such a case must by law be presumed to be unnecessary, and therefore unreasonable and severe, and that consequently it devolves upon the officer who makes the capture to exculpate himself from the general charge of hardness or severity by showing that the rigor practiced was necessary in the act complained of. I submit, on the contrary, that in these as in all other cases it rests with the complainant to show in his statement the facts and circumstances which constitute the grievance, before the accused party can be called upon to deny, or at least justify, the conduct alleged against him. I proceed to examine the case of the two seamen of the Revere in the light of this rule.

On the 6th of October your lordship addressed me a note, in which you stated that you therewith handed to me a copy of a despatch as well as a copy of a letter and an attested copy of an affidavit. You added that you desired to recommend to my favorable consideration the request to which those papers referred, that the mate of the British schooner Revere, who appeared to be detained at Fortress Monroe, might appear at Boston as a witness for the defence of the vessel before the prize court at that city. You added that you desired also to direct my attention to the unusual manner in which the master and crew of the Revere appeared to have been treated, and especially to the fact of two of the crew having been kept (as it would seem very unjustly) in irons. You closed with requesting me to return the attested copy of the affidavit to you. Your request that the captain might be allowed to appear at the prize court was promptly granted. The attested copy of an affidavit was returned to you as requested, without a copy of it having been taken in this department, as it was not then supposed that you thought it would be useful beyond the purpose of showing that you had grounds for calling my attention to the subject of the confinement of the seamen. It is necessary to state that the despatch was silent upon the subject of the confinement of the seamen. A copy of your note, together with a copy of the despatch annexed to it, was, on the 7th day of October, the very day of their receipt, by me submitted to the Secretary of the Navy with a request in general terms for the information necessary to enable me to reply to the note.

On the 11th of November I had the honor to receive from your lordship a second note bearing date on the 7th of that month, in which you recited that on the 10th of October (meaning the 6th) you had directed my attention to the unusual manner in which the master and crew of the British schooner Revere appeared to have been treated after the capture of their vessel by the United States ship Cambridge, and especially to the fact that two of the crew had been kept in irons. You then proceeded to lay before me another and kindred complaint about the rigor practiced, as you assumed, upon two seamen of another and different vessel. But you gave me no information whatever concerning the two seamen of the Revere A copy of this last paper was transmitted by me to the Secretary of the Navy on the 12th day of November. The Secretary of the Navy having called Flag-Officer Goldsborough's attention to the two complaints as thus submitted to me in very general terms, that officer reported to the Secretary of the Navy by sending him the papers, copies of which were transmitted to you, and which you have found so unsatisfactory. These papers show that the irons which were used had been placed on board for the protection of the prize master, and to be used by him when deemed necessary. I am informed that irons are always provided and kept on board blockading vessels as a necessary precaution. So customary is this that a naval officer who, being charged with the maintaining of a blockade, should lose his own vessel, or even a prize, for want of this precaution, would justly incur punishment at the hands of his government. The papers show that Lieutenant Gwin, the executive officer of the Cambridge, certainly had injunctions from the commander that the crews were to have every indulgence their case would admit of, and that they should be made as comfortable as possible. Upon the capture of the Revere he put the prize master on board of her, with the irons, with instructions to use them if he should deem it necessary. The prize master, going with probably only two or three loyal seamen spared from the Cambridge, it appears, did deem it necessary at first to put the two captured seamen in irons until their dispositions should be ascertained. When it is considered that these seamen were strangers to him, captured, disappointed in the objects of their voyage, and conveyed, against their wishes and will, to a distant and, to them, foreign port, by an authority in the exercise of a belligerent power, I think that it might have been reasonably apprehended by the prize master that if left from the first entirely free they might attempt the life of the prize master, or at least the deliverance of the prize. Using the same form of illustration as before, I think that the prize master, who having irons put into his hands for his own safety and the security of the prize vessel, should nevertheless have lost the prize by its being recaptured by captives whom he had not confined, would justly be dismissed from the naval service. Whether the prize master might not with safety have released the two seamen from their confinement in irons, at an earlier day or hour, remains uncertain. It should seem right if he has exercised his best discretion in a case in which his discretion was necessarily the rule of his conduct, unless, indeed, it shall be affirmatively shown that he wilfully or negligently abused his power over the unwilling and reluctant seamen. That he did not so abuse his power seems to me to be clearly proved by the fact that all of the officers of the Cambridge testified that the seamen made no complaints on leaving the Cambridge, and, on the contrary, spoke in good terms of their treatment, and that the commander of the Cambridge declares that he is astonished at the complaint of ill treatment, and, with the best sources of information open to him, denies those assertions altogether.

It remains to say that the government, having no sufficient ground, cannot agree that the two seamen in question in the present case were hardly treated or made to suffer unnecessary hardship. For this reason I cannot admit, what your lordship seems to claim, that the Secretary of the Navy ought to have expressed his disapproval of the proceedings of the officers of the Cambridge, or that he ought, in view of the whole case, to have expressed an intention to take means to secure considerate treatment in future to British seamen in similar circumstances. At the same time this government means and intends to conduct its operations upon the highest principles of humanity known in maritime proceedings, and especially with a view to the exercise of justice and moderation, so far as these proceedings affect Great Britain and other friendly powers, and, therefore, a copy of these papers will be addressed to the flag-officers of the blockading squadrons, accompanied by an instruction from the Secretary of the Navy to use irons only when and so long as necessary, and in all cases to practice the utmost kindness consistent with the safety of captives and prizes towards seamen captured in attempting to break the blockade.

I avail myself of the opportunity to renew to your lordship the assurance of my high consideration.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, December 3, 1861.

I refer again to your lordship's note of the 30th of November for the purpose of saying that the case of the two seamen of the British schooner Louisa Agnes, which was captured on a charge of attempting to run the blockade, seems to stand so nearly on the same footing with that of the two seamen captured on board of the British schooner Revere, which I have disposed of in a previous note of this date, that I pray your lordship to accept my reply in the latter case as expressing the opinions of this government upon the former case also.

I have the honor to be, with high consideration, your lordship's obedient servant,

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, December 11, 1861.

MY LORD: Your lordship's note of December 9, relating to minors who, being British subjects, have been enlisted in the army, has been received. I thank you for bringing the subject again to my attention.

I have to state with perfect frankness that the law which directs the dismissal of minors enlisted in the army without consent of their parents was enacted in a time of peace when there was no prospect of foreign war or domestic insurrection such as is now existing.

The operation of the law has been found very injurious in the present case, and at one time it concurred with other causes which seemed to threaten a serious demoralization of the forces of the United States under circumstances of much anxiety and solicitude.

The Secretary of War at that moment was disinclined to give the law prompt and complete effect in regard to American citizens who came within the scope of its provisions, and considerations of public safety rendered it unwise to discriminate against them and in favor of the subjects of other states who had been at their own desire enlisted into the service of the United States. Another circumstance entered into the case increasing the embarrassment of the question. It was reported in many cases that the parents of minors favored their enlistment, suppressing the fact of their minority until after they had come into service, and then fraudulently sought to avail themselves of the letter of the law to procure their discharge, to the great detriment of the public service and the possible danger of the country.

I have now consulted with the Secretary of War freely upon this subject, and, as a result of that consultation, I have to inform you that all the cases mentioned in your communication of the 9th instant, (now before me,) will be taken up and disposed of by the War Department, and wherever it is clearly shown that the soldier is a British subject, and a minor within the meaning of the law, an order will be made for his discharge. With this view, the list of names attached to your note will be filed in the War Department for reference. To expedite your wishes, it will probably be best that you furnish me the proofs in all these cases, if convenient to you, instead of excluding those heretofore furnished by you. This suggestion, however, is made simply with a view to a greater despatch in the business. If you wish it I will collect the proofs already furnished. So much, if you please, as to the past and present cases.

I am now to inform you that the President will immediately ask Congress to revise the law in question and modify its provisions, so that they shall be suspended during the continuance of this insurrection. Unable to foresee what Congress may do, the government will not deem itself bound to take up any new cases that may be presented, either in regard to Americans or foreigners found in the army and claiming the benefit of the law, until sufficient time shall have elapsed to obtain the will of Congress upon the subject.

Your lordship will, of course, understand that the remarks with which I have opened this note are intended not as an argument against the claims upon which you have insisted with entire propriety and great delicacy, but as explaining the delay in disposing of the subject which has occurred, a delay which the government regrets as much as your lordship.

I have the honor to be, with high consideration, your lordship's obedient servant,

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Lord Lyons to Mr. Seward.

WASHINGTON, *December* 16, 1861.

SIR: I have this afternoon had the honor to receive two notes from you dated thirteen days ago, and a third dated twelve days ago. They relate to the representations which I felt it to be my duty to address to you with regard to the treatment to which seamen belonging to the British schooners Revere and Louisa Agnes were subjected by officers of the United States navy. It is not my purpose, on the present occasion, to make any observations on their contents. I hasten, however, to inform you that they have only reached me to-day, lest I should be deemed guilty of discourtesy in not having acknowledged the receipt of them until so long after their dates.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c.*, *&c.*, *&c.*

Lord Lyons to Mr. Seward.

WASHINGTON, *January* 4, 1861 [2.]

SIR: It has become my painful duty to communicate to you the intelligence of the death of his Royal Highness the prince consort.

His Royal Highness expired at Windsor Castle at ten minutes before eleven o'clock on the night of the 14th of last month.

Letters announcing this mournful event to the President of the United States will be forwarded as soon as they can be submitted for her Majesty's signature.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c.*, *&c.*, *&c.*

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, *January* 7, 1862.

MY LORD: With reference to your private note of the 30th ultimo, in which mention is made of the imprisonment of three of the crew of the British schooner Adeline, and of the oath exacted from them as a condition of their release, and to my reply, I now have the honor to enclose to you for information the copy of a communication of the 4th instant, addressed to this department by the Secretary of the Navy, on the subject.

I avail myself of this opportunity to renew to your lordship the assurance of my high consideration.

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c.*, *&c.*, *&c.*

Mr. Welles to Mr. Seward.

NAVY DEPARTMENT, *January* 4, 1862.

SIR: I have had the honor to receive your communication of the 31st ultimo, in reference to the conditional release of three of the crew of the British schooner Adeline, captured for a breach of the blockade by Commander Maxwell Woodhull, of the United States steamer Connecticut.

Commander Woodhull has been informed that, in your opinion, the requirement exacted by him is not warranted by public law, and that the three alleged British subjects in question are, consequently, to be considered as absolved from the obligation required of them. I have also given instructions to the flag-officers of the blockading squadrons, so that a similar condition for the release of persons found on board of prizes, or vessels charged with a breach of the blockade, may not in future be exacted.

I transmit herewith, for your information, an extract from a report of Commander Woodhull in relation to the release of the parties, &c.

I am, respectfully, your obedient servant,

GIDEON WELLES.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Extract.]

UNITED STATES STEAMER CONNECTICUT,
Brooklyn Navy Yard, December 17, 1861.

SIR: * * * * * * * * *

Among the persons found on board the schooner Adeline (one of the above prizes) was a citizen of Georgia, Captain Hardee, commanding a company of artillery, now located in one of the forts near Savannah. He was connected with the Adeline as her supercargo, and, by his own acknowledgment, a bearer of despatches from Messrs. Mason and Slidell, which documents he threw overboard a few moments before our boat boarded the schooner. I understand also that he is the nephew of Colonel Hardee, late of the United States army, now a general of the rebel forces. He is of an influential family, who, doubtless, will use great exertion to obtain his release or exchange. Under these circumstances I determined to bring him north and place him in charge of the United States marshal at New York to await the further orders of the government.

It was also my desire to bring with me the captain of the Adeline, her pilot and mate, "old offenders," having, by their own admission, and other evidence, satisfactorily proved that they had run the blockade several times before, but, as they were claimed as British subjects by her Britannic Majesty's vice-consul at Key West, I did, by advice (though not of my own judgment) of Judge Marvin, conclude to liberate them, first, however, causing the said consul to furnish me with written personal obligation, under oath, not to again embark in a like enterprise or interfere with the legitimate object of the United States government in suppressing the rebellion. * * * * * *

M. WOODHULL,
Commander United States Navy.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington City.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, January 7, 1862.

MY LORD: I receive with deep sensibility the painful intelligence you have communicated to me of the death of his Royal Highness the prince consort of her Majesty, your sovereign.

Your lordship is not unaware of the high regard for her Majesty which is entertained, not only by the government, but by the whole people of the United States, and that this consideration also was extended to and embraced the just, liberal, and enlightened prince, whose too early death has now brought her Majesty into the experience of the greatest of afflictions.

But I forbear from expressing myself at large on the subject now, reserving the expression of the national sympathies on the occasion for the President of the United States, to whom it will be my sad duty to communicate, when received directly, the official information of the mournful event you have announced to me.

I have the honor to be, with high consideration, your lordship's obedient servant,

WILLIAM H. SEWARD.

Right Hon. LORD LYONS.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, January 8, 1862.

MY LORD: Adverting to my note to you of the 3d instant, relative to the improper position in which the British flag was placed on board the schooner James Campbell, captured on a charge of breach of blockade, I now have the honor to enclose to you, for your information, the copy of a further communication just received from the Secretary of the Navy on that subject.

I have the honor to be, with high consideration, your lordship's obedient servant,

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Mr. Welles to Mr. Seward.

NAVY DEPARTMENT, *January* 7, 1862.

SIR: Referring to my letter of the 2d instant, I have the honor to transmit herewith an extract from a communication received from Acting Master John Baker, in explanation of his conduct in taking the prize schooner James Campbell into New York with the British flag flying under the American.

I have the honor to be your obedient servant,

GIDEON WELLES.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Extract.]

NEW YORK, *January* 3, 1862.

SIR: I received your order to-day stating for me to make a written statement and explain the reason for hoisting the English flag under the American. Commodore, not being acquainted with the customs of fetching in prizes, I was under the impression that I was right. My intention was to do right, but it was not done for any bad purpose or intention to insult the English flag in any way whatever. I was wrong for so doing, and truly hope the department will forgive me. * * * * * * * *

JOHN BAKER,
Acting Master United States Navy.

Commodore PAULDING.

Lord Lyons to Mr. Seward.

WASHINGTON, *January* 9, 1862.

SIR: I have the honor to acknowledge the receipt of the notes from the State Department of the 3d and 8th instant, relative to the unseemly position in which the British flag was placed on board the captured vessel James Campbell, in New York harbor.

No sooner did the superior naval authorities of the United States at New York perceive the position in which the flag was placed, than they ordered it to be removed. Commodore Paulding, moreover, immediately wrote to her Majesty's consul to express his regret at the occurrence. He was, besides, so good as to address a letter to the commander of her Majesty's ship Racer, disavowing, in behalf of the government of the United States, any intention to show disrespect to the British flag.

Finally, it appears from the report of the prize master, of which you have now done me the honor to send me a copy, that he acted from ignorance and without any intention to slight the flag.

Under these circumstances it only remains for me to express my thanks for the prompt measures which have been taken by the United States authorities to do away with the unpleasant impression produced by the error of the prize master.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c.*, *&c.*, *&c.*

Earl Russell to Lord Lyons.

FOREIGN OFFICE, *January* 10, 1862.

MY LORD: In my despatch to you of the 30th of November, after informing you of the circumstances which had occurred in relation to the capture of the four persons taken from on board the Trent, I stated to you that it thus appeared that certain individuals had been forcibly taken from on board a British vessel, the ship of a neutral power, while such vessel was pursuing a lawful and innocent voyage—an act of violence which was an affront to the British flag and a violation of international law. I concluded by directing you, in case the reparation which her Majesty's government expected to receive should not be offered by Mr. Seward, to propose to that minister to make such redress as alone would satisfy the British nation, namely: first, the liberation of the four gentlemen taken from on board the Trent, and their delivery to your lordship in order that they might again be placed under British protection; and, secondly, a suitable apology for the aggression which had been committed.

I received, yesterday, your lordship's despatch of the 27th ultimo, enclosing a note to you from Mr. Seward, which is, in substance, the answer to my despatch of the 30th of November.

Proceeding at once to the main points in discussion between us, her Majesty's government have carefully examined how far Mr. Seward's note and the conduct it announces comply substantially with the two proposals I have recited.

With regard to the first, viz: the liberation of the prisoners with a view to their being again placed under British protection, I find that the note concludes by stating that the prisoners will be cheerfully liberated, and by calling upon your lordship to indicate a time and place for receiving them.

No condition of any kind is coupled with the liberation of the prisoners.

With regard to the suitable apology which the British government had a right to expect, I find that the government of the United States distinctly and unequivocally declares that no directions had been given to Captain Wilkes or to any other naval officer to arrest the four persons named, or any of them, on the Trent or on any other British vessel, or any other neutral vessel, at the place where it occurred, or elsewhere.

I find, further, that the Secretary of State expressly forbears to justify the particular act of which her Majesty's government complained. If the United States government had alleged that although Captain Wilkes had no previous instruction for that purpose, he was right in capturing the persons of the four prisoners and in removing them from the Trent on board his own vessel to be afterwards carried into a port of the United States, the government which had thus sanctioned the proceeding of Captain Wilkes would have become responsible for the original violence and insult of the act. But Mr. Seward contents himself with stating that what has happened has been simply an inadvertency consisting in a departure by a naval officer, free from any wrongful motive, from a rule uncertainly established, and probably by the several parties concerned either imperfectly understood or entirely unknown. The Secretary of State goes on to affirm that for this error the British government has a right to expect the same reparation which the United States, as an independent state, should expect from Great Britain or from any other friendly nation in a similar case.

Her Majesty's government having carefully taken into their consideration the liberation of the prisoners, the delivery of them into your hands, and the explanation to which I have just referred, have arrived at the conclusion that they constitute the reparation which her Majesty and the British nation had a right to expect.

It gives her Majesty's government great satisfaction to be enabled to arrive at a conclusion favorable to the maintenance of the most friendly relations between the two nations. I need not discuss the modifications in my statement of facts which Mr. Seward says he has derived from the reports of officers of his government.

I cannot conclude, however, without adverting shortly to the discussions which Mr. Seward has raised upon points not prominently brought into question in my despatch of the 30th of November. I there objected, on the part of her Majesty's government, to that which Captain Wilkes had done. Mr. Seward, in his answer, points out what he conceives Captain Wilkes might have done without violating the law of nations. It is not necessary that I should here discuss in detail the five questions ably argued by the Secretary of State. But it is necessary that I should say that her Majesty's government differs from Mr. Seward in some of the conclusions at which he has arrived, and it may lead to a better understanding between the two nations on several points of international law which may, during the present contest or at some future time, be brought into question, that I should state to you for communication to the Secretary of State wherein those differences consist. I hope to do so in a few days. In the meantime it will be desirable that the commanders of the United States cruisers should be instructed not to repeat acts for which the British government will have to ask redress, and which the United States government cannot undertake to justify. You will read and give a copy of this despatch to the Secretary of State.

I am, &c., RUSSELL.

Lord Lyons, *&c., &c., &c.*

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, January 13, 1862.

MY LORD: You have kindly left with me a copy of an instruction which you had received from Earl Russell, dated on the 22d of November last.

I have great pleasure in stating to you, for the information of his lordship, that the President frankly and unhesitatingly accepts the explanations given by Earl Russell of what was the meaning of the British government in the views which, at their instance, you had heretofore submitted to me concerning the right of the President to suspend the habeas corpus, in time of insurrection, without waiting for direct authority from Congress.

I have to regret, however, that while the misapprehension which has existed upon this one point is thus generously removed by Earl Russell, he deems it necessary to persist in the opinion that the President's proceeding, under a suspension of the habeas corpus, in the case of William Patrick was wanton and capricious, and that it had not been rendered necessary by the exigencies of the civil war. As government must proceed always upon information, and often with great promptness and energy, it could hardly be possible to avoid the commission of occasional errors in the exercise of precautionary power to repress insurrection, manifesting itself more or less formidably in every State of the American Union. I cannot but think that a prompt correction of the error in such a case, (such a correction as was made in the case of Mr. Patrick,) is all that could reasonably be required by persons willing to deliberate carefully, and anxious to interpret the action of the government with candor and impartiality, as I am sure Earl Russell is. I cheerfully consent to leave Earl Russell's protest on the record, where it will lie side by side with the decisions of this government, which show that, during a civil war now of nine months' duration, no complaint of any kind has been denied a hearing; not one person has been pressed into the land or naval service; not one disloyal citizen or resident, however guilty of treason or conspiracy, has forfeited his life, except in battle; not one has been detained a day in confinement who could and would give reasonable pledges of his forbearance from evil designs, nor, indeed, has one person who could or would give no such pledges been detained a day beyond the period when the danger which he was engaged in producing had safely passed away. Happily, it is not the judgments of even great and good men like Earl Russell, pronounced in the excitement of the hour, and possibly subject to the influences of disturbing events, which determine the characters of states. From such judgments we cheerfully appeal to that of history, confident that it records no instance in which any government or people has practiced moderation in civil war equal to that which, thus far, has distinguished this government and the American people.

I avail myself of this opportunity to renew to your lordship the assurance of my high consideration.

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Lord Lyons to Mr. Seward.

WASHINGTON, *January* 14, 1862.

SIR: I have the honor to acknowledge the receipt of the note, which you were so good as to address to me yesterday, on the subject of the despatch from Earl Russell to me, relative to the arrests of British subjects, of which I delivered a copy to you three days ago. I will to-day forward to Lord Russell a copy of the communication which you have thus been so good as to make to me.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Earl Russell to Lord Lyons.

FOREIGN OFFICE, *January* 23, 1862.

MY LORD: I mentioned in my despatch of the 10th instant that her Majesty's government differed from Mr. Seward in some of the conclusions at which he had arrived, and that I should state to you, on a future occasion, wherein these differences consisted. I now proceed to do so. It is necessary to observe that I propose to discuss the questions involved in this correspondence solely on the principles of international law. Mr. Seward himself, speaking of the capture of the four gentlemen taken from on board the Trent, says: "The question before us is, whether this proceeding was authorized by, and conducted according to, the law of nations." This is, in fact, the nature of the question which has been, but happily is no longer, at issue. It concerned the respective rights of belligerents and of neutrals. We must, therefore, discard entirely from our minds the allegation that the captured persons were rebels, and we must consider them only as enemies of the United States at war with its government, for that is the ground on which Mr. Seward ultimately places the discussion. It is the only ground upon which foreign governments can treat it.

The first inquiry that arises, therefore, is, as Mr. Seward states it, "Were the persons named and their supposed despatches contraband of war?" Upon this question her Majesty's government differ entirely from Mr. Seward. The general right and duty of a neutral power to maintain its own communications and friendly relations with both belligerents cannot be disputed.

"A neutral nation," says Vattel,* "continues, with the two parties at war, in the several relations nature has placed between nations. It is ready to perform towards both of them all the duties of humanity, reciprocally due from nation to nation." In the performance of these duties, on both sides, the neutral nation has itself a most direct and material interest, especially when it has numerous citizens resident in the territories of both belligerents, and when its citizens, resident both there and at home, have property of great value in the territories of the belligerents which may be exposed to danger from acts of confiscation and violence, if the protection of their own government should be withheld. This is the case with respect to British subjects during the present civil war in North America.

Acting upon these principles, Sir William Scott, in the case of the Caroline,† during the war between Great Britain and France, decided that the carrying of despatches from the French ambassador resident in the United States to the government of France by an United States merchant ship was no violation of the neutrality of the United States in the war between Great Britain and France, and that such despatches could not be treated as contraband of war. "The neutral country," he said, "has a right to preserve its relations with the enemy, and you are not at liberty to conclude that any communication between them can partake, in any degree, of the nature of hostility against you. The enemy may have his hostile projects to be attempted with the neutral state, but your reliance is on the integrity of that neutral state, that it will not favor nor participate in such designs, but, as far as its own councils and actions are concerned, will oppose them. And if there should be private reasons to suppose that this confidence in the good faith of the neutral state has a doubtful foundation, that is matter for the caution of the government, to be counteracted by just measures of preventive policy; but it is no ground on which this court can pronounce that the neutral carrier has violated his duty by bearing despatches, which, as far as he can know, may be presumed to be of an innocent nature, and in the maintenance of a pacific connexion."

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* Vattel, book iii, cap. 7, s. 118.

† Caroline, (Chr. Rob., 461;) cited and approved by Wheaton, ("Elements," part iv, cap. 3, sec. 22.)

And he continues, shortly afterwards:

"It is to be considered, also, with regard to this question, what may be due to the convenience of the neutral state, for its interests may require that the intercourse of correspondence with the enemy's country should not be altogether interdicted. It might be thought to amount almost to a declaration that an ambassador from the enemy shall not reside in the neutral state, if he is declared to be debarred from the only means of communicating with his own; for to what useful purpose can he reside there without the opportunities of such a communication? It is too much to say that all the business of the two states shall be transacted by the minister of the neutral state resident in the enemy's country. The practice of nations has allowed to neutral states the privilege of receiving ministers from the belligerent states, and the use and convenience of an immediate negotiation with them."

That these principles must necessarily extend to every kind of diplomatic communication between government and government, whether by sending or receiving ambassadors or commissioners personally, or by sending or receiving despatches from or to such ambassadors or commissioners, or from or to the respective governments, is too plain to need argument; and it seems no less clear that such communications must be as legitimate and innocent in their first commencement as afterwards, and that the rule cannot be restricted to the case in which diplomatic relations are already formally established by the residence of an accredited minister of the belligerent power in the neutral country. It is the neutrality of the one party to the communications, and not either the mode of the communication or the time when it first takes place, which furnishes the test of the true application of the principle.

The only distinction arising out of the peculiar circumstances of a civil war, and of the non-recognition of the independence of the *de facto* government of one of the belligerents, either by the other belligerent or by the neutral power, is this: that "for the purpose of avoiding the difficulties which might arise from a formal and positive solution of these questions diplomatic agents are frequently substituted, who are clothed with the powers and enjoy the immunities of ministers, though they are not invested with the representative character, nor entitled to diplomatic honors."* Upon this footing Messrs. Mason and Slidell, who are expressly stated by Mr. Seward to have been sent as pretended ministers plenipotentiary from the southern States to the courts of St. James and of Paris, must have been sent, and would have been, if at all, received; and the reception of these gentlemen upon this footing could not have been justly regarded, according to the law of nations, as a hostile or unfriendly act towards the United States. Nor, indeed, is it clear that these gentlemen would have been clothed with any powers, or have enjoyed any immunities beyond those accorded to diplomatic agents not officially recognized.

It appears to her Majesty's government to be a necessary and certain deduction from these principles that the conveyance of public agents of this character from Havana to St. Thomas, on their way to Great Britain and France, and of their credentials or despatches (if any) on board the Trent, was not and could not be a violation of the duties of neutrality on the part of that vessel; and, both for that reason and, also, because the destination of these persons and of their despatches was *bona fide* neutral, it is, in the judgment of her Majesty's government, clear and certain that they were not contraband.

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* Wheaton's "Elements," part iii, chap. 1, sec. 5.

The doctrine of contraband has its whole foundation and origin in the principle which is nowhere more accurately explained than in the following passage of Bynkershoek. After stating, in general terms, the duty of impartial neutrality, he adds: "Et sane id, quod modo dicebam, non tantum ratio docet, sed et usus, inter omnes fere gentes receptus. Quamvis enim libera sint cum amicorum nostrorum hostibus commercia, user tamen placuit, ne alterutrum his rebus juvemus, quibus bellum contra amicos nostros instruatur et foveatur. Non licet igitur alterutri advehere ea, quibus in bello gerendo opus habet; ut sunt tormenta, arma, et quorum præcipuus in bello usus, milites. Optimo jure tinerdictum est, ne quid eorum hostibus subministremus; quia his rebus nos ipsi quodammodo videremur amicis nostris bellum faceree."*

The principle of contraband war is here clearly explained, and it is impossible that men or despatches which do not come within that principle can in this sense be contraband. The penalty of knowingly carrying contraband of war is, as Mr. Seward states, nothing less than the confiscation of the ship; but it is impossible that this penalty can be incurred when the neutral has done no more than employ means usual among nations for maintaining his own proper relations with one of the belligerents. It is of the very essence of the definition of contraband that the articles should have a hostile, and not a neutral, destination. "Goods," says Lord Stowell,† "going to a neutral port cannot come under the description of contraband, all goods going there being equally lawful. The rule respecting contrabands," he adds, "as I have always understood it, is, that articles must be taken *in delicto*, in the actual prosecution of the voyage to an enemy's port." On what just principle can it be contended that a hostile destination is less necessary, or a neutral destination more noxious, for constituting a contraband character in the case of public agents or despatches than in the case of arms and ammunition? Mr. Seward seeks to support his conclusion on this point by a reference to the well-known dictum of Sir William Scott in the case of the Caroline, that "you may stop the ambassador of your enemy on his passage,"‡ and to another dictum of the same judge in the case of the Orozembo,§ that civil functionaries, "if sent for a purpose intimately connected with the hostile operations," may fall under the same rule with persons whose employment is directly military.

These quotations are, as it seems to her Majesty's government, irrelevant; the words of Sir W. Scott are in both cases applied by Mr. Seward in a sense different from that in which they were used. Sir William Scott does not say that an ambassador sent from a belligerent to a neutral state may be stopped as contraband while on his passage on board a neutral vessel belonging to that or any other neutral state, nor that, if he be not contraband, the other belligerent would have any right to stop him on such a voyage.

The sole object which Sir William Scott had in view was to explain the extent and limits of the doctrine of the inviolability of ambassadors in virtue of that character; for he says:

"The limits that are assigned to the operations of war against them, by Vattel and other writers upon these subjects, are, that you may exercise your right of war against them whenever the character of hostility exists. You may stop the ambassador of your enemy on his passage; but when he has arrived, and has taken upon him the functions of his office, and has been admitted in his representative character, he becomes a sort of middle man, entitled to peculiar privileges, as set apart for the protection of the relations of amity and peace, in maintaining which all nations are in some degree interested."

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* Bynkershoek, "Quæst. Jur. Publ.," lib. i, cap. 9.

† The "Imina," 3 chr. Rob., 167.

‡ The Caroline, 6 chr. Rob., 468.

§ The Orozembo, 6 chr. Rob., 434.

There is certainly nothing in this passage from which an inference can be drawn so totally opposed to the general tenor of the whole judgment as that an ambassador proceeding to the country to which he is sent, and on board a neutral vessel belonging to that country, can be stopped on the ground that the conveyance of such an ambassador is a breach of neutrality, which it must be if he be contraband of war. Sir William Scott is here expressing not his own opinion merely, but the doctrine which he considers to have been laid down by writers of authority upon the subject. No writer of authority has ever suggested that an ambassador proceeding to a neutral state on board one of its merchant ships is contraband of war. The only writer named by Sir William Scott is Vattel,* whose words are these: "On peut encore attaquer et arrêter ses gens," (*i. e.*, gens de l'ennemi,) partout où on a la libertè d'exercer des actes d'hastilité. Non seulement donc on peut justement refuser le passage aux ministres qù un ennemi envoye à d'autres souverains; les arrête même, s'ils entreprennent de passer secrètement et sans permission dans les lieux dont on est maitre."

And he adds, as an example, the seizure of a French ambassador when passing through the dominions of Hanover during war between England and France, by the King of England, who was also sovereign of Hanover.

The rule, therefore, to be collected from these authorities is, that you may stop an enemy's ambassador in any place of which you are yourself the master, or in any other place where you have a right to exercise acts of hostility. Your own territory, or ships of your own country, are places of which you are yourself the master. The enemy's territory, or the enemy's ships, are places in which you have a right to exercise acts of hostility. Neutral vessels guilty of no violation of the laws of neutrality are places where you have no right to exercise acts of hostility.

It would be an inversion of the doctrine that ambassadors have peculiar privileges to argue that they are less protected than other men. The right conclusion is, that an ambassador sent to a neutral power is inviolable on the high seas, as well as in neutral waters, while under the protection of the neutral flag.

The other doctrine of Sir William Scott, in the case of the Orozembo, is even less pertinent to the present question. That related to the case of a neutral ship which, upon the effect of the evidence given on the trial, was held by the court to have been engaged as an enemy's transport to convey the enemy's military officers, and some of his civil officers whose duties were intimately connected with military operations, from the enemy's country to one of the enemy's colonies which was about to be the theatre of those operations—the whole being done under color of a simulated neutral destination. But as long as a neutral government, within whose territory no military operations are carried on, adheres to its professions of neutrality, the duties of civil officers on a mission to that government, and within its territory, cannot possibly be "connected with" any "military operations" in the sense in which these words were used by Sir William Scott, as, indeed, is rendered quite clear by the passages already cited from his own judgment in the case of the Caroline. In connexion with this part of the subject, it is necessary to notice a remarkable passage in Mr. Seward's note, in which he says: "I assume, in the present case, what, as I read British authorities, is regarded by Great Britain herself as true maritime law, that the circumstance that the Trent was proceeding from a neutral port to another neutral port does not modify the right of belligerent capture." If, indeed, the immediate and ostensible voyage of the Trent had been to a neutral port, but her ultimate and real destination to some port of the enemy, her Majesty's government might have been better able to understand the reference to British authorities contained in this passage. It is undoubtedly the law as laid down by British authorities, that if the real destination of the vessel be hostile, (that is, to the enemy, or the enemy's country,) it cannot be covered and rendered innocent by a fictitious destination to a neutral port. But if the real terminus of the voyage be *bona fide* in a neutral territory, no English, nor, indeed, as her Majesty's government believe, any American, authority can be found which has ever given countenance to the doctrine that either men or despatches can be subject, during such a voyage, and on board such a neutral vessel, to belligerent capture as contraband of war. Her Majesty's government regard such a doctrine as wholly irreconcilable with the true principles of maritime law, and certainly with those principles as they have been understood in the courts of this country,

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* Vattel, lib. iv, chap. 7, sec. 85.

It is to be further observed that packets engaged in the postal service, and keeping up the regular and periodical communications between the different countries of Europe and America, and other parts of the world, though in the absence of treaty stipulations they may not be exempted from visit and search in time of war, nor from the penalties of any violation of neutrality, if proved to have been knowingly committed, are still, when sailing in the ordinary and innocent course of their legitimate employment, which consists in the conveyance of mails and passengers, entitled to peculiar favor and protection from all governments in whose service they are engaged. To detain, disturb, or interfere with them, without the very gravest cause, would be an act of a most noxious and injurious character, not only to a vast number and variety of individual and private interests, but to the public interests of neutral and friendly governments. It has been necessary to dwell upon these points in some detail, because they involve principles of the highest importance, and because if Mr. Seward's arguments were acted upon as sound the most injurious consequences might follow.

For instance, in the present war, according to Mr. Seward's doctrine, any packet ship carrying a confederate agent from Dover to Calais, or from Calais to Dover, might be captured and carried to New York. In case of a war between Austria and Italy, the conveyance of an Italian minister or agent might cause the capture of a neutral packet plying between Malta and Marseilles, or between Malta and Gibraltar, the condemnation of the ship at Trieste, and the confinement of the minister or agent in an Austrian prison. So in the late war between Great Britain and France on the one hand, and Russia on the other, a Russian minister going from Hamburg to Washington in an American ship might have been brought to Portsmouth, the ship might have been condemned, and the minister sent to the tower of London. So also a confederate vessel of war might capture a Cunard steamer on its way from Halifax to Liverpool, on the ground of its carrying despatches from Mr. Seward to Mr. Adams. In view, therefore, of the erroneous principles asserted by Mr. Seward, and the consequences they involve, her Majesty's government think it necessary to declare that they would not acquiesce in the capture of any British merchant ship in circumstances similar to those of the Trent and that the fact of its being brought before a prize court, though it would alter the character, would not diminish the gravity of the offence against the law of nations which would thereby be committed.

Having disposed of the question whether the persons named, and their supposed despatches, were contraband of war, I am relieved from the necessity of discussing the other questions raised by Mr. Seward, namely, whether Captain Wilkes had lawfully a right to stop and search the Trent for these persons and their supposed despatches: whether that right, assuming that he possessed it, was exercised by him in a lawful and proper manner; and whether he had a right to capture the persons found on board.

The fifth question put by Mr. Seward, namely, whether Captain Wilkes exercised the alleged right of capture in the manner allowed and recognized by the law of nations, is resolved by Mr. Seward himself in the negative. I cannot conclude, however, without noticing one very singular passage in Mr. Seward's despatch.

Mr. Seward asserts that "if the safety of this Union required the detention of the captured persons it would be the right and duty of this government to detain them." He proceeds to say that the waning proportions of the insurrection, and the comparative unimportance of the captured persons themselves, forbid him from resorting to that defence. Mr. Seward does not here assert any right founded on international law, however inconvenient or irritating to neutral nations; he entirely loses sight of the vast difference which exists between the exercise of an extreme right and the commission of an unquestionable wrong. His frankness compels me to be equally open, and to inform him that Great Britain could not have submitted to the perpetration of that wrong, however flourishing might have been the insurrection in the south, and however important the persons captured might have been.

Happily all danger of hostile collision on this subject has been avoided. It is the earnest hope of her Majesty's government that similar dangers, if they should arise, may be averted by peaceful negotiations conducted in the spirit which befits the organs of two great nations.

I request you to read this despatch to Mr. Seward, and give him a copy of it.

I am, &c.,

RUSSELL.

Mr. Seward to Lord Lyons.

Department of State,
Washington, February 6, 1862.

My Lord: With reference to the permission given to the foreign representatives to correspond with their consuls in the ports of the insurgent States by means of vessels-of-war entering their ports, I have to remark that circumstances have come to the knowledge of this department which render it advisable that this permission shall hereafter be restricted to correspondence of the consuls of those powers only who, by the regulations of their respective governments, are not allowed to engage in commerce. I will consequently thank you to request the commander of any British vessel who may visit the ports adverted to to abstain from carrying letters for consuls who may be engaged in trade.

I avail myself of this opportunity to renew to your lordship the expression of my high consideration.

F. W. SEWARD, *Acting Secretary.*

Right Hon. Lord Lyons.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, February 13, 1862.

MY LORD: Referring to my note of the 4th of December last, relative to the alleged maltreatment of the captain of the schooner Louisa Agnes, I now have the honor to enclose to you the copy of a communication of yesterday, addressed to this department by the Secretary of the Navy on that subject.

I avail myself of this opportunity to renew to your lordship the assurance of my high consideration.

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Mr. Welles to Mr. Seward.

NAVY DEPARTMENT, *February* 12, 1862.

SIR: In compliance with your request of the 9th of December last, the department wrote for statements from the officers of the United States steamer Susquehanna respecting the treatment of the captain of the English schooner Louisa Agnes, seized for a violation of the blockade. The statements have just been received, and are herewith submitted, with a letter of Flag-Officer DuPont, dated the 28th ultimo.

Will you please return them when you shall have no further use for them.

I have the honor to be, &c.,

GIDEON WELLES.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

FLAG-SHIP WABASH,
Port Royal Harbor, S. C., January 28, 1862.

SIR: On the return to this port of the Susquehanna from blockading duty I called the attention of Captain Lardner to the subject of the treatment of the master and crew of the English schooner Louisa Agnes.

I have the honor to enclose communications from Captain Lardner, Lieutenant Commanding Bankhead, and Lieutenant Weaver.

Respectfully, your obedient servant,

S. F. DUPONT,
Flag-Officer Com'g South Atlantic Block. Squadron.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington.

UNITED STATES SHIP SUSQUEHANNA,
Port Royal, January 24, 1862.

SIR: I have the honor to acknowledge the receipt of a copy of a despatch from the Navy Department, of December 11, referring to the treatment of the master and crew of the English schooner Louisa Agnes, together with extract from Lord Lyons's letter to the Secretary of State, and extract from the affidavit of the master, to which my attention is called.

Captain Chauncey, who commanded this ship at the time, was detached soon afterwards. From the senior lieutenant (Bankhead) now in command of the Pembina, I enclose a statement of the treatment and condition of the men; also one from Lieutenant Weaver, of this ship.

Very respectfully, your obedient servant,

J. L. LARDNER, *Captain.*

Flag-Officer S. F. DuPont,
Com'g South Atlantic Blockading Squadron, Port Royal, S. C.

United States Gunboat Pembina,
Port Royal, January 25, 1862.

Sir: In answer to your request to furnish you with the particulars as to the treatment of the captain and two of the crew of the Louisa Agnes while on board the Susquehanna, of which ship I was first lieutenant, I have to state that the said captain and men, after having been transferred from the Cambridge, were both messed and berthed. He, the said captain, was recognized by several of the crew as having served on board a United States vessel-of-war, in the capacity of seaman, at some previous time. His personal appearance and want of cleanliness was such that I did not feel satisfied in berthing him in the steerage, where I had been in the habit of putting men of his class while on board of the Susquehanna. A ration was issued for himself and the two men, and a place assigned them forward orlop deck (under a strict charge) for their effects. He was treated as well as the crew of the ship, and quite as well, as I judged from his manners and appearance, as he had any reason to expect. While the said captain and two men were on board of the Susquehanna none of them were put in irons, or in any manner deprived of their personal liberty, but were treated with all the consideration which men in their situation were entitled to.

Respectfully, your obedient servant,

J. P. BANKHEAD,
Lieutenant Commanding.

Captain James L. Lardner,
Commanding United States Steamer Susquehanna.

United States Steamer Susquehanna.

Sir: In reply to your request of this day I have to state that the master of the schooner Louisa Agnes was received on board this ship on the 10th day of September, 1861. He, Robert Nicholson, master of schooner Louisa Agnes, was furnished with bedding and a hammock, and took his meals in one of the messes of the crew of this ship, where he was treated a member of said mess. The said Nicholson would not have been received in any officer's mess, as his personal condition was filthy and ragged in the extreme.

I am, respectfully, your obedient servant,

A. W. WEAVER,
Lieutenant United States Navy.

Captain James L. Lardner,
Commanding United States Steamer Susquehanna, Port Royal, S. C.

Forwarded respectfully.

J. L. LARDNER,
Captain.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, February 21, 1862.

MY LORD: I have submitted to the President the copy of an instruction from Earl Russell which you left with me, and which bears the date of January 23d.

In this paper Earl Russell sets forth certain points upon which the British government differs from some of the conclusions which I presented to you in my note upon the Trent affair, of the 26th of December last.

It is perceived that these differences do not disturb the conclusion contained in that paper upon which the case of the Trent was disposed of by this government.

The differences stated by Earl Russell involve questions of neutral rights in maritime warfare which, though of confessed importance, are not practically presented in any case of conflict now existing between the United States and Great Britain. It is very desirable, however, that these questions should be settled, if possible, by an early understanding between the two governments. Nevertheless, Earl Russell, I think, will agree with me that they relate only to a part of the international law of maritime war, while there are other and kindred questions equally important and equally likely to arise in the disturbed condition of affairs which exists on this continent, and in any conflict which may happen in Europe. All such questions, moreover, affect not only these two nations, but all the other maritime powers. Earl Russell need not be reminded that the necessity which has existed for meliorations of the law of maritime war in regard to neutrals has been a subject of debates and even of conventions of such powers. The friendly relations which this government holds to such powers require that all that it does in this connexion should be done with their full knowledge and with an expressed desire for their co-operation. This government has taken an active part in seeking to promote such meliorations through such conventions. Its views on this subject have undergone no change. It will cheerfully second any negotiations to that end which Great Britain, or any other maritime power, will inaugurate. If it shall seem preferable, it will itself initiate such proceedings. Our ministers accredited to such powers will, at an early day, receive full instructions to this effect. In the meantime your lordship may assure Earl Russell that, while the United States will justly claim as their own the belligerent rights which the customary practice allows to nations engaged in war, according to our present convictions, there is no melioration of the maritime law, or of the actual practice of maritime war, that the leading maritime states, including Great Britain, shall think desirable, which will not be cheerfully assented to by the United States, even to the most liberal asylum for persons and the extreme point of exemption of private property from confiscation in maritime war.

I avail myself of this opportunity to renew to your lordship the assurance of my high consideration.

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Lord Lyons to Mr. Seward.

WASHINGTON, *February* 21, 1862.

SIR: I will, without any loss of time, communicate to her Majesty's government the note which you have to-day done me the honor to write to me with regard to Earl Russell's despatch to me, of the 23d of last month, on certain questions of international law connected with the case of the Trent.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Lord Lyons to Mr. Seward.

WASHINGTON, *March* 6, 1862.

SIR: Her Majesty's government have considered with attention the correspondence which I had the honor to hold with you in the months of October, November, and December last, concerning the treatment experienced by the crews of two British schooners, the Revere and Louisa Agnes, which had been captured on a charge of breach of blockade.

Her Majesty's government cannot but regard the putting of seamen belonging to these vessels in irons, under the circumstances in which, and for the period for which, this was avowedly done, as wholly unjustifiable.

I am, however, instructed to express to you the satisfaction with which her Majesty's government have seen that, upon the matters being brought by me to your notice, you informed me that an instruction would be addressed by the Secretary of the Navy to the flag-officers of the blockading squadrons to use irons only when, and so long as, necessary, and in all cases to pursue the utmost kindness, consistent with the safety of captures and prizes, towards seamen captured in attempting to break the blockade. I am desired to add that her Majesty's government trust that this instruction will be so carried into effect as to prevent the recurrence of any cases similar to those of the Louisa Agnes and the Revere.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Lord Lyons to Mr. Seward.

WASHINGTON, *March* 19, 1862.

SIR: With reference to the correspondence which I had the honor to hold with you in the months of October and November last, respecting the bag of despatches taken from Mr. J. P. Crosse, at Baltimore, I beg to inform you that her Majesty's government have obtained from her Majesty's acting consul at Richmond a description of the bag as it left his hands. That description is as follows:

"The bag in question was of canvas, as usual, and was closed in such a manner as to prevent access to its contents without cutting the tape or cord, which was sealed through parchment with the seal of this consulate. The parchment had the following address on it: '*On her Majesty's service.* E. M. Archibald, esq., her Britannic Majesty's consul, New York. Consulate of Virginia.'"

Her Majesty's government consider that this seal and address ought to have been respected by the United States authorities, and her Majesty's government have consequently instructed me to complain to you of the bag's having been opened.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c.*, *&c.*, *&c.*

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, April 5, 1862.

MY LORD: Your note of March 19 recalls the subject of a bag, which was found, in October last, in the trunk of a person named Cross, in his attempt to pass the military lines of the United States.

On the 23d of that month you informed me that you had been referred by General Dix to me, and you therefore asked me for such information concerning the transaction as it seemed proper that you should receive.

I answered, on the 24th of October, substantially as follows: That I had received information from General Dix that a bag had been found concealed in the trunk of Cross, who was a spy of the insurgents, and who, by his escape, avoided arrest; that I therefore directed General Dix to send the bag to the Department of State; that on its arrival here it had a label attached, upon which was an address to Mr. Archibald, her Majesty's consul at New York, and the words "On her Britannic Majesty's service," but there was nothing to authenticate the bag as one having been forwarded by the British vice-consul at Richmond; that this fact, taken in connexion with the circumstances under which the bag was brought through the military lines of the United States, naturally excited doubts whether the bag contained official correspondence of the British authorities; that I therefore directed that the bag should be opened; that when it was opened it was found to contain not a single communication for Mr. Archibald, or for any other officer of the British government on this continent; that it did contain a few apparently official letters, addressed to functionaries of that government at London; that these letters were promptly forwarded, in the same condition in which they were received, to Mr. Adams, with instructions to cause them to be delivered to the persons to whom they were addressed, and that the other contents of the bag were and they would be retained here; that I thought it was unnecessary to specify their character, further than to state that they were such as no consul or acting consul of a foreign government has a right to forward in any way from a place in rebellion against the United States.

In the note of the 19th of March, which is now before me, you state that her Majesty's government have obtained from her Majesty's acting consul at Richmond a description of the bag as it was when it left his hands; that this description is as follows:

"The bag in question was of canvas, as usual, and was closed in such a manner as to prevent access to its contents without cutting the tape or cord, which was sealed through parchment with the seal of this consulate. The parchment had the following address on it: 'On her Majesty's service. E. M. Archibald, esq., her Britannic Majesty's consul, New York. Consulate of Virginia.'"

You add that her Majesty's government consider that this seal and address ought to have been respected by the United States authorities, and her Majesty's government have, consequently, instructed you to complain of the bag's having been opened.

I have the honor to say, in reply to your lordship's note, that I entirely agree with her Majesty's government in the principle that when a bag purporting to convey despatches on her Majesty's service is found sealed and duly authenticated by a consul, that seal and authentication ought to be respected by the United States authorities. I add, with pleasure, that in all cases where such an occurrence has happened the consular seal and authentication have been so respected, and in all cases of that character which shall happen hereafter the consular seal and authentication will be respected, and the bag or parcel will be left unopened and transmitted to its proper address, relying on the good faith of her Majesty's government that it will not suffer the consular privileges to be abused to the injury of the United States.

I cannot, however, admit the fact, implied by your note, that a consular seal was violated in the case now under consideration, and for that reason alone I cannot admit the justice of your lordship's complaint.

The bag, when it came to this department, had no consular seal or any other seal, nor were any traces of a seal observed. There was no signature to authenticate it as having been put up or despatched by the acting consul at Richmond, or any other agent of the British government. It was closed only with a simple twine, like an ordinary parcel sent out from a retailer's shop. The label might, for aught that it expressed, have been written by any hand, without any authority whatever.

I have now taken pains to inquire of the deputy provost marshal at Baltimore, the provost marshal, and General Dix, through whose hands it had passed before coming to me, and I learn from them that when it came to their hands, respectively, it bore no seal whatever, and was not supposed by them to have ever been sealed.

I have not been able, by pushing my inquiries beyond this point, to ascertain what other persons belonging to the service of the United States had possession of or control over the bag before its delivery to the deputy provost marshal at Baltimore, and so to ascertain whether it was sealed or authenticated when taken from the trunk of the spy in whose possession it was found. The inquiries will be continued, and the result, when ascertained, will be promptly communicated to your lordship.

In the meantime you will excuse me for suggesting, first, that I cannot but remark the appearance of some reservation on the part of the acting consul at Richmond, in withholding the necessary explanations to whom he delivered the bag, how it happened to contain objectionable correspondence, and how it chanced to fall into the hands of a spy, who fled and abandoned the official correspondence when he was detected.

Secondly, I notice, not without regret, that her Majesty's government do not express any disapprobation of the conduct of the consul at Richmond in placing objectionable correspondence in a bag of despatches, and covering it, as he alleges, with the seal of his consulate.

I avail myself of this opportunity to renew to your lordship the assurance of my high consideration.

WILLIAM H. SEWARD.

Right Hon. LORD LYONS, *&c., &c., &c.*

Memorandum of conversation.

Lord Lyons called to-day upon Mr. Seward, and said, as perhaps was not extraordinary, the capture of New Orleans, which was expected by Mr. Seward to be a relief in the relations between the United States and other countries, on the contrary, was at the beginning attended with new causes of uneasiness. He had received complaints from his consul in behalf of British subjects in new Orleans of harsh proceedings by General Butler. He had not had time fully to digest them, but he called to see that if the Secretary of State would not think it worth while to have the military authorities at New Orleans cautioned against exercising any doubtful severities which would produce irritation, and aggravate what had already happened. Lord Lyons, especially, said that it had been reported to him that a British subject had been sent to Fort Jackson, which is understood to be a very unhealthy place at this season, and he trusted the military authorities would be requested not to expose the health of such prisoners to unnecessary risks. Mr. Seward replied that he cordially appreciated the value of Lord Lyons's suggestions, and that he would submit to the Secretary of War the expediency of giving instructions to General Butler of the character suggested, and he felt authorized to say at once that they would be adopted.

DEPARTMENT OF STATE,
Washington, May 30, 1862.

Mr. Edwards to Lord Lyons.

NEW YORK, *May* 30, 1862.

MY LORD: I have the honor to acknowledge the receipt of your lordship's despatch (No. 47) of the 26th instant, (which was not received by me until the 28th,) concerning a report communicated to your lordship by the governor of the Bahama islands, to the effect that the custom-house authorities here had taken measures to impede or prevent the shipment of ordinary supplies to Nassau, and instructing me to ascertain and report to your lordship whether there be any foundation for such a report. In reply, I have the honor to inform your lordship that the customs authorities at this port, acting, as I am informed, in compliance with instructions received at different times from the Secretary of the Treasury, have upon several occasions thrown serious impediments in the way of shipments of coal and ordinary merchandise to Nassau, and in some cases where the goods were already embarked and even cleared at the custom-house have refused to permit the vessel to go to sea until such goods have been relanded. One of the officials has shown me a copy of an order issued from the Treasury Department, dated the 10th of April, in which shipments of coal are prohibited to any ports or places north of Cape Saint Roque (the easterly point of South America, and west of the fifteenth degree of longitude east,) where there is reason to suspect that it may be intended for the use of the so-called confederate government or ships. This prohibition, as your lordship will perceive, embraces all the British North American colonies, British West Indies, Bermuda, and the British possessions upon the north coast of South America. I inquired of the officer having the superintendence of the clearance bureau whether it was intended that this order should be strictly enforced, and he assured me that such was the collector's intention. He cited, as a case in point, an application which had just been made to him for permission to send a quantity of coal to Canada, by way of the Hudson river and lakes, which had been refused. A British merchant here, largely interested in the trade of the North American colonies and West Indies, informs me that he has made repeated applications to the custom-house to be allowed to export coal, some of which was to be tendered for the use of her Majesty's vessels upon the West Indies station, at the same time offering to enter into bonds that it should be landed in foreign ports, but that his applications have all been rejected.

I have the honor to enclose, for your lordship's information, printed slips, cut from a daily paper, containing instructions issued by Mr. Secretary Chase to the collector of this port. Your lordship will see by the latter that the collector has very great discretionary powers lodged with him; these powers, I regret to say, have been extensively used to the annoyance and injury of British trade. In one case where a quantity of dry goods, consisting of plain and printed cotton fabrics, had been shipped upon a British vessel for Nassau, the shippers were obliged by the custom-house to reland the wares in question before permission for the vessel to proceed to sea could be obtained. In another, a number of packages of shoes were prohibited from exportation. In a more recent case, where an order had been received from some merchants at Nassau to ship a quantity of drugs, consisting of sulphate of quinine, cantharides and acids, only a portion of the order was permitted to be exported. At one time strong exception was taken by the custom-house officials to the (as they alleged) extraordinary quantity of flour and provisions shipped here for the British West Indies, but I am not aware that it amounted to actual prohibition. Much inconvenience has been, and continues to be, experienced by British merchants here from the manner in which the instructions issued by the Treasury Department have been enforced; articles of ordinary export being at times prohibited, while wares which could only be of service to a belligerent have been allowed to pass unquestioned.

I have, &c., &c.,

P. EDWARDS, *Acting Consul.*

LORD LYONS.

Lord Lyons to Mr. Seward.

WASHINGTON, *June* 12, 1862.

SIR: Representations have been made to her Majesty's government in behalf of British subjects, now prisoners of war in this country, who allege that they were, when captured by the United States forces, serving against their will in the ranks of the enemy.

Her Majesty's government, have in consequence, directed me to ask of you that the cases of any such British subjects, taken prisoners of war, as may have been forced against their will into the service of the enemy of the United States, may be inquired into fairly and dealt with leniently.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

LYONS.

HON. WILLIAM H. SEWARD.

Mr. F. W. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, June 14, 1862.

MY LORD: I have the honor to acknowledge the receipt of your note of the 12th instant, touching the cases of British subjects, prisoners of war, who may have been forced against their will into the service of the enemy of the United States, and to inform you that I have invited the attention of the Secretary of War to the matter.

I avail myself of this opportunity to renew to your lordship the assurance of my high consideration.

F. W. SEWARD, *Acting Secretary.*

Right Hon. LORD LYONS, *&c., &c., &c.*

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, June 20, 1862.

SIR: As you are doubtless aware, Lord Lyons, a short time since, left at this department the copy of a letter of the 30th ultimo, addressed to himself by P. Edwards, esq., her Britannic Majesty's acting consul at New York, relative to certain restrictions upon exports, especially coal, to Nassau and other British possessions, which was referred to the Secretary of the Treasury for information on the subject. I now have the honor to enclose to you a transcript of that officer's reply.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Hon. WILLIAM STUART, *&c., &c., &c.*

Mr. Chase to Mr. Seward.

TREASURY DEPARTMENT, *June* 14, 1862.

SIR: I have the honor to acknowledge your letter of the 5th instant, covering a letter addressed to Lord Lyons by the acting British consul at New York, upon the subject of certain restrictions upon exports, especially coal, to Nassau and other British possessions.

In compliance with your request, I return the communication of the consul, and also a copy of the report thereon made to me by the collector of New York, to whom this despatch was sent for this purpose.

The restrictions on coal have been enforced by collectors under my instructions of 18th April last, alike upon domestic and foreign shipping clearing to ports north of Cape St. Roque, on the eastern coast of South America and west of the 15th degree of longitude east.

It will be my pleasure to remove all restrictions to trade when the present necessity, which has made them imperative, shall cease.

The despatch of the acting consul is returned.

With great respect,

S. P. CHASE,
Secretary of the Treasury.

Hon. W. H. SEWARD,
Secretary of State.

CUSTOM-HOUSE, NEW YORK,
Collector's Office, June 12, 1862.

SIR: I have the honor to acknowledge the receipt of your letter of the 10th instant, which has just been received, transmitting a copy of a communication from the acting British consul residing at New York to Lord Lyons, complaining of restrictions upon exports to Nassau and other British provinces; and, in reply, have to state that, in the exercise of the discretion devolved upon me, as an officer of the government of a sovereign people, I have prohibited the shipment of coals, and dry goods, and shoes, and quinine, and other drugs, and tin ware, and munitions of war, and sundry other articles, to Nassau and the West Indies and other foreign ports, when I had reason to suspect that they were intended, by individual enterprise, or the special contracts of British subjects, to directly contribute to the welfare of the enemies of the United States.

In respect to the closing paragraph of the acting consul's letter, in which it is stated that "articles of ordinary export [were] at times prohibited, while wares which could only be of service to a belligerent have been allowed to pass unquestioned," I have to say that we have no data in our possession to refer to for these facts. His letter is returned.

I am, sir, very respectfully, your obedient servant,

HIRAM BARNEY, *Collector*.

Hon. S. P. CHASE,
Secretary of the Treasury.

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, June 23, 1862.

SIR: I have read with care the papers which you left with me at the instance of Peter Goolrick, of Fredericksburg, in the State of Virginia. He alleges that in June, 1853, G. P. R. James, then her Britannic Majesty's consul for Virginia, appointed him vice-consul for the port of Fredericksburg and district of Tappahannock, and that he has been continued in that port ever since. He further alleges that, on the third day of May last, one James Gemmill, a British subject, deposited with him one thousand barrels of flour, and authorized him to sell it at ten dollars per barrel, or hold it for a higher price. Mr. Goolrick complains that soon after the national forces occupied Fredericksburg their soldiers came to his office and demanded his British flag; that on that occasion he prevailed with them to let the flag remain. He alleges, however, that on the 2d of June instant General Reynolds, then military governor at Fredericksburg, took possession of the one thousand barrels of flour; that he, Goolrick, protested in writing; that a few days afterwards General Doubleday was appointed military governor, and that either he, or some of his officers in his name, with a file of soldiers, forced themselves into his office and dwelling; were extremely rude to Mr. Goolrick and his wife; searched his premises and examined papers, and took some papers away; that they searched his kitchen, stable, and cow-barn, and examined his servants. separate and apart, to ascertain if fire-arms were concealed in his premises, but there were none found; that on this occasion they carried off his British flag from over his office, and placed a United States flag in its place, and placed a sentinel before the door of his dwelling-house, with instructions to permit nothing to pass out; that he adds that he has closed his office and suspended his business as vice-consul, and that her Majesty's subjects in this place require the aid of a British consul.

Fredericksburg is a comparatively obscure inland river port, is only fifty-six miles from Washington, and sixty-six miles from Richmond, and both of these places are accessible from Fredericksburg by railroad. It is hardly conceivable that a vice-consul should be needful there in ordinary times; but certainly this government could not be expected to guarantee forever consular privileges in time of war to agents whose consular character is entirely unknown to them. It is necessary also for the preservation of a good understanding between the two countries, and it is the right of this government to have official notice whenever any British subject, however authorized by his own government, sets up such a vice-consulate in any port of the United States. Mr. Goolrick's papers, which you left with me, show that he was appointed a vice-consul, by her Majesty's consul general for Virginia, at the time he mentions, and that succeeding incumbents of the consular office there occasionally corresponded with him as such. But he makes no pretension that this government has ever had any notice that he held such a trust. I am left to infer by him, and by yourself, as I am also directly informed, that he is a citizen of the United States, owing allegiance to this government. Mr. Goolrick is represented to me to be a traitorous citizen of the United States, and the proceedings against him were taken for that reason. The fact that he held a vice-consular authority, even if it was true, would not entitle him to appeal to British authority for redress against any proceedings of our government not affecting the authority of her Majesty's government or the rights or interests of British subjects. As soon as my attention was directed to this case, I inquired in this department and ascertained not only that no notice of his designation or pretension to be vice-consul had ever been received at this office, but that, in my absence from the department, the military officer in chief command at Fredericksburg had called and inquired for the purpose of ascertaining the truth of his pretensions to such a character, and had been told by the chief clerk that the pretence was certainly false, because no communication of his having been assigned to such a place had ever been received by this government. It is manifest that the military authorities acted in the matter complained of upon the assumption that Mr. Goolrick's representations were untrue, fraudulent, and made with treasonable intent on his part against the United States.

It certainly is very questionable whether, under these circumstances, he has any claim on his government, or that government has any claim for executive interposition in the matter. But the President is not disposed to stand upon technicalities, or to refine closely upon consular rights and privileges where the interest of governments or subjects of foreign powers here are concerned. Justice shall in all such cases be done, and all rights created by treaty or the law of nations shall be respected. The British flag in question, if it be true that it has been taken from Mr. Goolrick, will be at once returned to his possession. He does not report that any archives of the consulate or other official papers were taken from him. If any such were taken they will be at once returned to him. You may consider the subject and determine whether it is so important to the interests of the British government and British subjects that a vice-consulate be wanted at Fredericksburg. If you think it is, you may appoint then any British subject you may name, or any loyal American citizen. If you find it inconvenient to make such an appointment, and think it important that Mr. Goolrick act for the present as vice-consul, he will, on my receiving an intimation to that effect from you, be authorized to act, for the present, if the military authorities shall deem it consistent with the public safety that he be left at liberty, and, with the reservation also that, on examining all the facts, this government, if it find him an improper person, will ask for his removal. A commission will be appointed by this department to inquire into the whereabouts of the one thousand barrels of flour which Mr. Goolrick says were taken from his protection. If they shall be found to have been the property of any British subject, lawfully held, and not being used or intended to be used for purposes treasonable against this government, they will be returned, or, if that is impossible, compensation shall be made for them.

Having incidentally learned that Mr. Goolrick had been arrested and is now here on his parole, directions have been given for his release from that obligation in order that he may return to Fredericksburg.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Hon. WILLIAM STUART, *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, June 24, 1862.

SIR: I have been informally apprised that Mr. Coppell, her Britannic Majesty's acting consul at New Orleans, has deemed it advisable to relinquish his official functions in consequence of a letter addressed to him by Major General Butler, issued, it is presumed, through some misapprehension. I do not think the facts of the case justified General Butler in writing that letter. I will thank you, therefore, to request that gentleman to resume his consular character, the supposed cause of the abandonment of which is regretted. The Secretary of War has been requested to issue proper orders upon the subject to General Butler.

I have the honor to be, sir, your very obedient servant,

WILLIAM H. SEWARD.

Hon. WILLIAM STUART, *&c., &c., &c.*

Mr. Stuart to Mr. Seward.

WASHINGTON, *June* 25, 1862.

SIR: I have the honor to acknowledge the receipt of your note of the 23d instant, respecting the position of Mr. Peter Goolrick, as British vice-consul at Fredericksburg, and the proceedings of the military authorities there in searching his premises, in taking forcible possession of his British flag as well as a quantity of flour, the property of a British subject, which had been intrusted to him, and finally in arresting his person and bringing him to Washington, where he has been for several days past a prisoner on parole.

You are pleased to inform me that Mr. Goolrick's position as British vice-consul was entirely unknown to the State Department, and that it might be questionable whether, as a citizen of the United States, he has any claim upon her Majesty's government, or whether her Majesty's government have any claim to interfere on his behalf; but, as you state that you are not disposed to stand upon technicalities, and as it was not my intention to raise the question, it is unnecessary that I should reply further to that part of your note, unless instructed to do so by her Majesty's government, to whom it will be my duty to refer the whole case. With regard to the British flag taken from Mr. Goolrick, you state that, if so taken, it will be restored; with regard to the flour seized, that a commission will be appointed to inquire into the ownership, and that, if the allegation is correct, it will be either restored or paid for, and, with regard to his arrest, that directions have been given for his release, in order that he may return to Fredericksburg.

In thanking you for this communication, the only part of it to which I need now reply is that to which I have not attended in its proper order, and in which you submit to me whether it is of importance to retain Mr. Goolrick or any other vice-consul at so small a place as Fredericksburg, at the same time expressing your readiness to acknowledge him in that capacity for the present, provided it be found consistent with the public safety to leave him at liberty; and if, after examining into the facts, the United States government do not find him an improper person. On these points I can only request that if no treasonable charges can be proved against Mr. Goolrick, he may be permitted to continue in the exercise of his vice-consular functions until I have time to receive instructions upon the subject from her Majesty's government, as I have no power on my own responsibility to suspend a consular officer from his functions.

I think, however, that I may assure you that Earl Russell will be anxious to consider the whole subject in the same spirit in which you have yourself treated it, and that in the meantime it would not be his lordship's wish that I should attempt to shield Mr. Goolrick from the consequences of any crimes or misdemeanors which he may have committed, punishable by the laws of the United States, should any such be proved against him.

I avail myself of this occasion to renew to you the assurance of my highest consideration.

W. STUART.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, July 1, 1862.

SIR: In acknowledging the receipt of Lord Lyons's note of the 12th ultimo, touching the cases of British subjects, prisoners of war, who may have been forced against their will into the service of the enemy of the United States, he was informed by this department that the attention of the Secretary of War had been invited to the subject. I now have the honor to enclose to you a copy of that officer's reply.

I avail myself of this opportunity to offer to you, sir, the assurance of my high consideration.

F. W. SEWARD, *Acting Secretary.*

Hon. WILLIAM STUART, *&c., &c., &c.*

Mr. Wolcott to Mr. Seward.

WAR DEPARTMENT,
Washington. June 28, 1862.

SIR: The Secretary of War directs me to say that he has had the honor to receive your letter of the 14th instant, enclosing copy of a note addressed by Lord Lyons to the State Department, under date of the 12th instant, touching the cases of British subjects, prisoners of war in this country, who, when captured by the United States forces, were serving against their will in the ranks of the rebels, and asking that such cases may be "inquired into fairly and dealt with leniently," and to submit to you the following reply:

The department has no information upon this subject other than that gathered from the note of Lord Lyons; and as that fails to mention the name of any British subject supposed to have been captured while serving against his will in the ranks of the rebels, it is manifestly out of the power of the department now to take any action in the premises.

It may be well, however, to acquaint Lord Lyons with the fact that applications for release and parole, on precisely this ground, are almost daily made to the department by citizens of the United States captured from the insurgent ranks and held as prisoners of war; but the department has uniformly declined to inquire into these cases, or to deal with them otherwise than with cases in which no such ground was urged.

Very respectfully, your obedient servant,

C. P. WOLCOTT,
Assistant Secretary of War.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, July 5, 1862.

SIR: I have the honor to acknowledge the receipt of your informal communication of the 1st instant, relative to the restrictions imposed by the Secretary of the Treasury upon the export of various articles of commerce to Nassau and other British ports, and to state that it will be taken into respectful consideration.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Hon. WILLIAM STUART, *&c., &c., &c.*

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, July 12, 1862.

SIR: In accordance with the suggestion in my note to you of the 23d ultimo, this department appointed a commission to proceed to Fredericksburg, in the State of Virginia, and inquire as well into the character and past conduct of Peter Goolrick, exercising the functions of a British vice-consul at that place, and into the facts and circumstances which he had made the subject of a representation to you, as into the ownership of the one thousand barrels of flour, claimed in said representation to be the property of a British subject, which, he said, were taken from his protection.

I have the honor to enclose a copy of the report made to this department in pursuance of said appointment.

Upon considering the said report the President is of opinion that the public safety and welfare require that Mr. Goolrick should not continue in the office of vice-consul of a friendly power for any district or portion of the United States. Acts which, in a subject of a foreign state, might be regarded as imprudences, or passed with indifference, cannot, when committed by a citizen of the United States, as Mr. Goolrick is, but have a certain pernicious influence among his fellow-citizens.

But, in order that no interest may by possibility suffer, and to avoid even the appearance of precipitation, Mr. Goolrick, if you desire, may, under your instructions, remain in his place until after you shall have consulted your government in the matter.

In regard to the one thousand barrels of flour mentioned in Mr. Goolrick's representation to you, you are not understood to present a claim in his name, or in the name of any other person for reparation or compensation. If at any time hereafter any person entitled to your protection shall present a claim to the said flour, and claim remuneration therefor, impartial justice shall, on full investigation, be done to him.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. WILLIAM STUART, *&c., &c., &c.*

Mr. Ruggles to Mr. Seward.

DEPARTMENT OF STATE, *July* 3, 1862.

SIR: On the 25th ultimo I received your instructions of that date to proceed to Fredericksburg, in the State of Virginia, and inquire into the character and past conduct of Peter Goolrick, who claimed to be a vice-consul of the British government, and into the facts and circumstances connected with an alleged examination of the premises of the said Goolrick by our military authorities, and an alleged arrest of said Goolrick; and also in regard to the ownership of one thousand barrels of flour, claimed as the property of one James Gemmill, a British subject, and said to have been taken from the possession of the said Goolrick by military force. Accompanying said instructions was part of a correspondence between you and the British minister, from which it appeared that; although the said Goolrick had held some sort of an appointment as British vice-consul for several years, which had been recognized by the British legation, the government of the United States had never been informed of such appointment; yet that, pending such investigations as might be necessary, the said Goolrick was to be allowed to continue the exercise of his functions as such vice-consul.

By your direction I had an interview with the British minister, in which I informed him of the said instructions, and that I was going to Fredericksburg in obedience thereto, and suggested that, if he desired, he might send a person on his behalf to participate in such investigations as I might make. He declined to send any such person with me; expressed his satisfaction with the spirit in which his representations of Mr. Goolrick's complaints had been met, and said that he had directed Mr. Goolrick, on resuming his functions at Fredericksburg, to abstain from any ostentatious display, and not to make any unnecessary exhibition of the British flag, with which direction he said the said Goolrick had faithfully promised to comply.

I went to Fredericksburg on the 30th ultimo to perform the said duty. One of the first objects which met my view on reaching the town, was the British flag, displayed from Goolrick's house, in disregard of his promise to the British minister, to announce to his rebel associates a triumph over the military authorities who had laid the hand of correction upon him.

The male population of Fredericksburg is very much diminished by the absence, in the rebel army, of nearly all the disloyal portion who are able to bear arms, and of those who remain very few were of any use to me in imparting information touching the subject of my inquiries. The rebels were sullen and silent, and professed to know nothing of the matter. The few Union men to be found were dissatisfied with the more ample protection afforded, as they alleged, by our military forces to the rebels and their property than to them, and distrustful of the inclination or power of the government to protect them from rebel wrath, if they should give information. Owing to these causes I found but one man, besides the officer who examined Goolrick's premises, who could or was willing to give me any important information in the form of an affidavit. It was freely said by the three professed Union men, who were all I could find among the resident population of the town, that Goolrick was a violent and avowed secessionist and rebel, but only one of them would testify to any facts in regard to him.

The affidavit of one man, represented to me to be honest and respectable, will be found among the papers, setting forth that the affiant, a resident of Fredericksburg, knows Goolrick, and has known him for six or seven years; that said Goolrick has been, ever since the beginning of the rebellion in 1860, a strong, open, undisguised secessionist. Since the commencement of the war he has had two cellars under his dwelling-house occupied by the rebel forces with guns in boxes, tents, swords, and army sugar. This storage on Goolrick's premises commenced about a month before the evacuation of the town by the rebels, and property was put in and taken out, from time to time, in like manner as at a commissary's store, till at last they left in a hurry, and were obliged to leave a quantity of property. Since the surrender of the town by the rebels, and its occupation by the national troops, the property so left has been privately removed by the rebels, with the aid of the said Goolrick. That on one occasion deponent saw said Goolrick unpacking sugar from hogsheads, and repacking it in barrels, and said sugar was afterwards privately removed in the night by the rebels; that this repacking and removal of sugar, and the removal of the other property, took place after the occupation by the national forces, and that Goolrick did this business stealthily.

John E. Cook, of Middleburg, Schoharie county, New York, captain of company I, 76th regiment New York volunteers, made affidavit that he was provost marshal of Fredericksburg for about ten days, ending on or about the 16th of June, 1862; that during said period he examined the premises of said Goolrick, and there found some property which he judged belonged to the rebel military forces, and took the same from the possession of said Goolrick, consisting of two navy chests, with papers of William Ware, a paymaster in the navy, and two trunks and a chest belonging to officers in the rebel army, with their books, papers, and some ammunition. There were also some tents, and some pails, and some blankets, and some iron ware, and some army clothing in possession of said Goolrick, and that deponent also took a British flag from said Goolrick's possession.

There have been transmitted from the War Department a paper dated February 19, 1862, purporting to have been despatched by telegraph from Richmond to the said Goolrick, in these words: "Nashville has not fallen, nor never will. Pillow, Johnson, Floyd, and Buckner are safe. I think I am safe in saying this." Which paper purports to have been signed, "A. Gustavus White." And a paper in these words: "Confederate States of America, War Department, Richmond, March 28, 1862. Permission is granted P. Goolrick to visit Fredericksburg, upon honor not to communicate, in writing or verbally, for publication, any fact ascertained which, if known to the enemy, might be injurious to the Confederate States of America. (Signed) A. C. Goodwin, provost marshal." On the back whereof is the following: "I, P. Goolrick, do solemnly swear or affirm that I will bear true faith and yield obedience to the Confederate States of America, and that I will serve them honestly and faithfully against their enemies. (Signed) P. Goolrick. (Dated) Richmond, March 28, 1862." And a paper purporting to be a copy of a letter from the said Goolrick to a person styled Captain R. L. T. Beale, dated Fredericksburg, September 25, 1861, applying to him for his aid and influence for the writer's son, Charles T. Goolrick, who desired a military appointment in the Confederate States. Said letter represents the son as a bachelor of law of the University of Virginia, and as having been practicing at Fredericksburg for about three years, and also as having once represented the Jefferson Society and been editor of the University Magazine, and since then made several secession speeches well spoken of. It goes on to state that some time since he was a lieutenant of infantry, and for several months, up to a few weeks previous to the date of said letter, a lieutenant of artillery; that he was a captain of one of the heavy guns for several weeks in the naval batteries on the Potomac, and acted also as drill master, and had high recommendations from the officers of the corps to which he belonged, and from various regular officers of prominence, among whom were Captains Roots, Thorburn and Minor, and Lieutenant Smith, and others of the navy, and Dr. Bledsoe, chief of the war bureau; Major Lacy, &c., of the army, and many influential civilians—such as the Hon. R. M. T. Hunter, Patrick Henry Aylett, John James Chew, &c. It appealed to the said Beale, on account of their long friendship, to write a letter to Hon. S. R. Mallory, secretary of the navy, if he knew him, or if not, to R. M. T. Hunter, or any other influential person who could help his son toward the place he sought. It stated that he stood a very fair chance then for an office in the marine corps, but that he would like the letter to be general, so as to apply either to the army or navy, as he had letters recommending him to either, and that Colonel Harvey very kindly offered to join Captain Beale in such a letter. As to himself, the writer said, it was hardly necessary to say anything. Captain Beale knew that he had always been a State-rights democrat, and was for many years chairman of the Democratic Association of Fredericksburg, and also that he had been in many local offices—such as mayor, British vice-consul, &c., and more than that he should leave him to say. He stated that Mr. Hunter and Captain Minor, stationed in Richmond, would introduce his son to the president, &c., and kindly offered to use their influence on the spot.

This testimony constitutes the case against the said Peter Goolrick. It is therein shown that he was an early applicant for favor from the so-called confederate government to his family, relying for the success of his application upon his and their zeal, and useful services in the rebel cause, and upon his favorable standing at home and with the British government, as shown by his having held the office of mayor and British vice-consul; that he had travelled under the favor and safeguard of the confederate military authorities, and, in order thereto, had subscribed the oath of allegiance to their pretended government; that he was in manifestly confidential correspondence on the subject of the rebel fortunes in arms, with one White, at Richmond, more distinguished for the virulence of his treason than for his intelligence; that he had in his possession during the first half of June last past, the remnants of important and necessary stores for the sustenance and use of the rebel army, and that from the beginning of the rebellion he hath been an active partisan of its evil interests; that since the outbreak of rebel hostilities he hath furnished storage for the ammunition and supplies of their forces, receiving and delivering such supplies to suit their convenience, and that since his premises have been within the lines of the national troops he hath continued, stealthily, such services, and delivery of property and supplies to the rebel forces, thus displaying himself in the character, not only of a traitor, but of a spy.

From which facts it is obvious that the examination of said Goolrick's premises, the seizure of property found thereon, and the arrest of his person, were justifiable and necessary acts of military precaution, and that his exemption from the penalty of a military execution is solely attributable to the leniency with which the government of the United States deals with treason; and that his restoration to liberty, and the exercise of his functions, at the instance of the British minister, proceeds exclusively from the comity and respect with which it is the habit of our government to treat every request or suggestion of that friendly power.

But the statements of Goolrick himself are not to be disregarded. It is due to him to examine whether there are any material discrepancies between the facts as above set forth, and his own assumptions of what was the truth in the premises. Moreover, we have no information in relation to one branch of the inquiry, viz: the one thousand barrels of flour, except from Goolrick himself. He made a statement, which he verified by solemn oath, to the effect that he is a naturalized citizen of the United States, of Irish birth; has resided in Fredericksburg forty-five years, and acted as British vice-consul about nine years; that he views himself as neutral in the war, neither belonging to the Union party nor the confederates, so called; that he has never sworn allegiance to the Confederate States, though there is a certificate to that effect on the back of a pass that was given to him, yet no oath was then administered to him; that he has rendered no service to the Confederate States; has restrained many British subjects from joining the rebel forces; has never aided, procured, or advised any of his own sons to join the rebel forces; has three sons in the rebel army—two of them, Charles T. Goolrick, a lawyer of Fredericksburg, and Robert E. Goolrick, a minor, were forced into the service; the other, Doctor Peter Goolrick, jr., is understood to be a surgeon in the Wise legion, but when, where, or why he joined the service deponent does not know; that he has never received for the rebel military forces, any arms, ammunition, commissary stores, or other property or supplies, nor had in possession any such property and delivered to them; and he further states that about the third of May last he received an invoice of one thousand barrels of flour from James Gemmill, of Richmond, whom he had never before seen nor heard of, authenticated by the British consul at Richmond, and described as branded "Fredericksburg extra superfine flour," and said to be stowed in two warehouses in Fredericksburg owned, respectively, by John B. Alexander and Charles S. Scott; and on the fifth of May said Gemmill took him to where the flour was stored, and delivered the flour to him as his agent, before witnesses, and gave him a writing instructing him what to do with the flour, which was neither to sell nor offer it for sale until August or September next; and he further states that afterwards, by order of General J. F. Reynolds, of the United States forces, six hundred and thirty-three (633) barrels of the said flour were taken from his possession in said warehouses at different times, and converted to the use of the United States, and that he has no knowledge where the said flour came from, nor who had owned it previously to its acquisition by said Gemmill; and he further says that the confederate army took possession of an empty cellar of his and stored property there, and took it away, putting in and taking out from time to time; and when they left, they left some property there, principally tents, which facts he reported to the headquarters of the United States forces when they took possession, and broke open the lock and delivered the property to the United States forces. That there were also three trunks and a box placed in his possession—one trunk and a box by Charles T. Goolrick, and two trunks by a lady of Fredericksburg, Mrs. Neall—the contents whereof he knew nothing, which were taken from him by the military authorities of the United States.

The said statement was made voluntarily by said Goolrick, and was averred by him to be a full and true statement, without reservation, of all the facts within his knowledge touching the subjects whereof I was commissioned to inquire.

On comparing this statement with the other testimony above set forth, the following points of difference become prominently manifest:

He is proved by direct testimony and by unanimous report to be a strong and open secessionist and rebel, while he represents himself as neutral.

He is proved by his known signature, remaining among the papers, to have subscribed the oath of allegiance to the pretended government of the rebels, while he denies having taken any such oath, on the quibble that no oath was administered to him. He is proved to have rendered active, zealous, and effective personal service to the rebels, in receiving, repacking, and transferring their supplies from within our lines, which he denies.

He is proved by his own letter, remaining in the War Department, to have used great exertion to procure a situation in the rebel service for his son, Charles T. Goolrick, while he denies having aided, procured, or advised his entering such service, and alleges that he was forced into the same.

He is proved to have received arms, ammunition, commissary stores, and other property and supplies for the rebel military forces, and stored the same and delivered it to them, which he denies; but at the conclusion of his statement he says the "confederate army took possession of an empty cellar of his and stored property there," &c.; and also says that he reported what property they left to our forces, and delivered the same to them—of which report and delivery we have no knowledge from our military authorities.

It is submitted that the most partial view of the said Goolrick's statement, which can be deemed admissible, does not in any degree favorably modify the conclusions which are inevitable from the whole body of the testimony, that he has acted the part of a traitor and a spy.

In regard to the flour we are wholly confined, as yet, to Goolrick's statement. General Reynolds who, it is said, ordered the seizure of the flour, with the officers who executed his orders, and his entire command, has been transferred to another field of duty, and they are not now accessible for any explanation.

From Goolrick's statement it appears that on the third of May, which was Saturday, a total stranger, representing himself to be one James Gemmill, of Richmond, a British subject, brought and delivered to him an invoice of one thousand barrels of flour, authenticated with great formality by the British consul at Richmond; and that on the fifth of May, which was Monday, said Gemmill took him to the storehouses where the said flour was stored and delivered the said flour to him as his agent, before witnesses, together with written instructions what to do with the same, which were neither to sell nor offer it for sale till August or September next. That afterwards, by order of General Reynolds, six hundred and thirty-three barrels of said flour were taken and converted to public use, and that he, Goolrick, did not know where the said flour came from, or who had previously owned it.

The unprecedented character of this transaction justly subjects it to jealous scrutiny. It is not usual to surround honest transfers of property, or the creation of a *bona fide* agency, with such elaborate evidences of validity. We have no information upon what facts General Reynolds acted. He may have had proof that the flour was placed in store by the rebel military authorities, as a portion of their regular supply. But if he had only the knowledge furnished by Goolrick, and that the same contained in his present statement, that this quantity of flour was placed in the hands of a man not accustomed to deal in such property, with the observance of unusual formalities, with the unaccountable instructions to hold it for several months, and past another harvest, whatever might be the state of the market; that this was done with manifest haste at the moment when the national forces were approaching the town, and with laborious effort to secure for the flour the protection of the British flag, as British property, when it was notorious that all that was requisite to secure for it the most ample safeguards from waste or plunder, was that it should be known as private property, and not the property of the pretended government of the rebels; these facts would have warranted the seizure of the flour and its appropriation to public use as rebel military stores. At any rate, the badges of fraud flaunt so showily around the transaction that Goolrick must not deem it a hardship if the government require him to clothe his title in other garments before consenting to make him restitution.

It is submitted that, before admitting this claim, the time of Goolrick's agency, at least, should be suffered to expire, and that investigation at the locality should again become practicable by the return of the inhabitants, and their resumption of the pursuits of peace, and that inquiry should also be extended to Richmond, and Mr. James Gemmill be made to appear in person, and show himself an actual British subject, and that the said flour was, in good faith, his property, lawfully held, and not being used nor intended to be used for purposes treasonable against this government.

Respectfully submitted.

FRANCIS H. RUGGLES.

The SECRETARY OF STATE.

Mr. Seward to Mr. Stuart.

[Informal.]

DEPARTMENT OF STATE,
Washington, July 23, 1862.

SIR: The papers which accompanied your note to this department, of the 1st instant, marked "informal," have been taken into deliberate consideration. They relate to restrictions on the export from New York to Nassau of articles from England by steamers, and particularly to those by the China, British Queen, and to the case of the schooner William H. Clear, and to the relanding of drugs and surgical instruments shipped by a British firm in New York for Nassau.

Having referred these papers to the Secretary of the Treasury, explanations upon the subject have been received from him, the substance of which will be made known to her Majesty's government through Mr. Adams, the United States minister at London. It is not to be doubted that these explanations will show the necessity of the restrictions referred to for protecting the rights of the United States with reference to transit trade through ports within their jurisdiction.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. WILLIAM STUART, *&c., &c., &c.*

Mr. Stuart to Mr. Seward.

WASHINGTON, *August* 1, 1862.

SIR: Lord Lyons addressed various despatches to Earl Russell, in the month of May and in the beginning of June last, relative to the restrictions placed upon the export trade of the United States, and more especially upon that from New York to the Bahamas, in consequence of the instructions given by the Secretary of the Treasury of the United States to refuse clearances to vessels laden with contraband of war, or other specified articles, as well as to vessels which are believed to be, in fact, bound to confederate ports, or which are laden with merchandise of whatever description, when there appears to be imminent danger of the cargoes coming into the possession of the so-styled confederates.

I have consequently been instructed to state to you that her Majesty's government, after considering these despatches, in communication with the law advisers of the crown, are of opinion that it is competent for the United States, as a belligerent power, to protect itself, within its own ports and territory, by refusing clearances to vessels laden with contraband of war or other specified articles, as well as to vessels which are believed to be bound to confederate ports, and that so long as such precautions are adopted equally and indifferently in all cases, without reference to the nationality or origin of any particular vessel or goods, they do not afford any just ground of complaint.

But her Majesty's government are unable to understand how the refusal of clearances to vessels laden with ordinary merchandise can be justified upon the mere assumption of some "imminent danger of the cargoes coming into the possession of the insurgents," unless, indeed, there be reasonable ground for alleging and believing that some confederate port is the true destination of such vessels or of their cargoes. Under so vague and indefinite a pretext as that of "imminent danger of the cargoes coming into the possession of the insurgents," any kind and amount of arbitrary restriction upon British trade might be introduced and practiced.

With reference to the measures that appear to have been taken by the United States government as to the trade with the Bahama islands, her Majesty's government consider that a distinction ought to be made between shipments of coal and other articles *ancipitis usus,* the export of which may have been prohibited as contraband by general orders of the United States government, to any place within certain geographical limits, and shipments to the Bahamas, or any other part of the British dominions, of provisions and other articles of innocent use, not prohibited or made contraband by any such general order. The prohibition of the former class of shipments is public and general, and it falls equally upon the shipping and commerce of all nations, and may be justified on the ground of the exigencies of a belligerent.

Her Majesty's government cannot, however, so regard the interference of the New York custom-house with the ordinary exports to the Bahamas of dry goods, plain and printed cotton fabrics, &c., shoes, medical drugs, flour, and provisions. Trade between the United States and the Bahamas is regulated by the treaty of 1815, between the United States and Great Britain, the stipulations of that treaty having been extended to the Bahamas in 1830 by the mutual acts of both governments. By the proclamation of President Jackson, dated the 5th of October, 1830, pursuant to the act of Congress of the 29th May, 1830, it was expressly declared to be lawful for British vessels from the Bahamas to import into the United States and to export therefrom any articles which might be imported or exported in vessels of the United States. This engagement is still in force, and any prohibition of or interference with exports of ordinary commodities, not contraband of war, from New York to the Bahamas, in British vessels, is plainly inconsistent with that engagement.

Her Majesty's government cannot, therefore, in the absence of any evidence that the articles in question were destined for the so-styled Confederate States, pass unnoticed the general restriction which had been imposed on their export from New York to the Bahamas, and I have accordingly been instructed to address this representation to you upon the subject.

I avail myself of this occasion to renew to you the assurances of my highest consideration.

W. STUART.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, August 18, 1862.

SIR: I have the honor to acknowledge the receipt of your note of the 1st instant, in which, under the instructions of her Britannic Majesty's government, a representation is made to me on the subject of clearances of vessels and cargoes from New York to the Bahamas.

No time was lost in submitting your note to the Secretary of the Treasury, who referred it to the collector of the customs at New York for explanation. I now have the honor to enclose to you a copy of that officer's report on the subject, and to state that as his proceedings therein set forth appear to have been in strict conformity with the instructions of the Treasury Department, his conduct has accordingly been approved by that department.

I, however, give you the collector's reply for the better information of your government as to the exigencies which have rendered the proceedings complained of necessary in a crisis of great public danger. The exclusive order is applied to the island of Nassau only, because there is no complaint of abuse of neutrality laws elsewhere, and not at all invidiously, or because it is a British possession. The restriction is a measure adopted for the public safety, endangered by insurrection, and not at all as in any sense a measure of trade, and I think it justified on the same grounds with the inhibition of certain exports referred to by the British government. So soon as the abuses which have rendered the order necessary shall have ceased it will be at once rescinded. I shall, however, cheerfully bestow a further consideration upon the subject if your government shall require.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. William Stuart, *&c., &c., &c.*

Mr. Chase to Mr. Seward.

Treasury Department, *August* 13, 1862.

Sir: I enclose the report of the collector of New York, made in accordance with my directions of the 5th instant, sent to him at your instance, moved by a letter from the Hon. Mr. Stuart, acting minister of her Britannic Majesty. The action of the collector appears to have been in strict conformity with my instructions of the 23d May, 1862, and, of course, receives the approbation of this department.

With great respect,

S. P. CHASE,
Secretary of the Treasury.

Hon. William H. Seward,
Secretary of State.

Custom-House, New York,
Collector's Office, August 9, 1862.

Sir: I have the honor to acknowledge the receipt of your communication of the 5th instant, enclosing letters and papers from the Hon. Wm. H. Seward, Secretary of State, and the Hon. Mr. Stuart, her Britannic Majesty's acting minister, relative to the prohibition by me of shipments of goods to, and the clearances of vessels for, Nassau, N. P., and other ports in the Bahamas, and have the honor to submit the following statement of facts bearing on the subject: Referring to your letter dated at the Treasury Department, May 23, 1862, in which I am instructed "to refuse clearances to all vessels which, whatever their *ostensible destination*, are believed by me, on satisfactory grounds, to be intended for ports or places in possession or under the control of insurgents against the United States, or when there is imminent danger that the goods, wares, or merchandise of whatever description laden on board such vessel will fall into the possession or under the control of such insurgents." I have endeavored to exercise a proper discretion in the several cases presented to me, and have the honor to present the following in justification of my course. It may not be inappropriate here to enumerate some of the leading causes which have led to this state of affairs, of which complaint is now made by her Britannic Majesty's government, and I would, therefore, call your attention to the significant fact that the trade of this port with the British West Indies during the last year exceeds by far that of any former period, a comparative statement of the exports to that point during the first quarters of the years 1860 and 1862 showing an excess in favor of the latter period of four hundred thousand dollars. Extraordinarily large shipments of goods to Nassau, the principal port in said islands, have been made during the last year, of a character entirely different from those of former years, and such as were not suited to the wants of its inhabitants. Nearly all vessels arriving here from that port were freighted with the productions of the rebel States, and no attempt at concealment has been made by any of the traders with regard to the place of their origin, or the manner of their reaching Nassau. Traders becoming more bold, their vessels were freighted here with cargoes suited to the wants of the States in rebellion against the government, were cleared for Nassau, and in some instances went directly to Brazos, on the Rio Grande, in Texas, or, in another case, the British schooner Time, owned by H. Adderly & Co., of Nassau, as shown by the letter of our consul at that port, dated on the 6th May last, discharged her entire cargo into the rebel steamer Cecile, then lying in the harbor of that port, awaiting a favorable opportunity to run the blockade at Charleston. The case of the British schooner Sophia, which cleared for Nassau about the 20th of June last, is another instance of forwarding a cargo direct from this to a rebel port. Cargoes of coal, shipped at this port for Nassau, have in like manner reached the same destination. Intercepted correspondence and papers, among which were articles of co-partnership between members of a firm having a mercantile house in London, under the name of Jorss & North, a branch house at Charleston, under the firm of Beach & Root, and an agency or depot at Nassau, were found on the person of one of the members of said firm in London, then on his way to Nassau with instructions how to proceed on his arrival, naming the parties resident there who would be most likely to aid him successfully in transhipping his goods in small vessels, in case their steamers, then on their way, were unable to run the blockade. It was also shown by bills of lading, &c., that about one hundred and forty thousand dollars worth of goods had been shipped by their house in London in the British steamers Memphis and Pacific, in joint account, the proceeds of the sale of said goods at Charleston to be used in the purchase of a return cargo of cotton. Other letters from merchants at Nassau to their agents here have come into our possession, in which were instructions to forward certain goods suited to the *peculiar* trade of the island at that time, and intimating that no trouble was experienced in disposing of them at large prices to the agents of the rebels. Advices from the New York agent showed that, not being able to ship coal at this port for Nassau, he had chartered a British schooner for a port in the British provinces of North America for the purpose of taking a cargo to that port for the use of those who were interested in and carrying on trade with the rebel States. The first-mentioned letters and papers I have the honor to enclose herewith; the latter have been restored to their owners. It is a very generally acknowledged fact, and fully established by letters from our consul, as well as by the marine reports of the Nassau papers, that the port of Nassau has been for the last year, and still is, a rendezvous for both armed and unarmed vessels sailing under the British flag from ports of England, laden with arms, ammunition, and assorted cargoes, their destination, in many instances, as shown by the letters and papers referred to above, being Charleston or some other port in the so-called Confederate States. The steamer Memphis, recently brought into this port as a prize, was reported to me on the 12th June last as then lying at the port of Nassau with a valuable cargo, intending to run the blockade; and her capture laden with cotton from Charleston, is deemed sufficient evidence that she had succeeded in landing her cargo of contraband goods at that port, as intended by its owners on her clearance from Liverpool, where it was insured by Messrs. Jorss & North, at Lloyd's, at about twenty per cent. premium. The British steamer Herald, under the command of Captain Coxetter, late of the rebel privateer Jeff. Davis, reported from Charleston in the Nassau Guardian of a late date, is another instance of utter disregard of neutrality proclaimed by her Majesty's government, and at the present date it not unfrequently happens that ten or more steamers wearing the British flag are lying at Nassau at one and the same time. It is a fact worthy of notice that the trade between this port and Nassau is carried on almost exclusively in British vessels belonging at that port, and that these consignments are made in most cases to houses known and acknowledged to be in the interests of the rebels, the members of which take every opportunity to show their contempt for the government of the United States, and whose warehouses are made the depot for goods awaiting shipment to rebel ports on the order and under the direction of rebel agents resident at Nassau, among which may be named John B. Lafitte, agent for the house of Trenholm, Frazer & Co., of Liverpool and Charleston, and Captain Maffitt, late of the United States navy, now special navy agent for the so-called confederate government.

Her Majesty's government expresses the opinion that a distinction ought to be made between shipments of coal and "articles of innocent use," enumerating dry goods, cotton fabrics, shoes, medical drugs, flour and provisions. While acknowledging the soundness of the argument that there should be such a distinction, I also acknowledge my inability to make the requisite discrimination. For example, the rebel steamer Nashville, lying at one of the British West Indies islands, is supplied by the British ship Mohawk with coal, by which she is enabled to run the blockade, and the articles of "innocent use" we are called upon to supply to the Nassau market, to be transferred to her, or some other vessel systematically using the British flag to advance secession interests, are sulphate of quinine in quantities of one thousand ounces, chloroform by the hundred pounds, surgical instruments by the dozen cases, cotton cards by the hundred dozen, and uniforms or clothing and shoes for an army. Her Majesty's government labors under a serious misapprehension when stating that the authorities of the New York custom-house have attempted to interfere with the ordinary and legitimate trade to the Bahamas. It is only in cases of *extraordinary* shipments, or when we have had good and sufficient reasons, founded on the statements of merchants here engaged in the trade, for the belief that they were intended for interdicted ports in the southern States, that we have intervened for the protection of the interests of our government by prohibition, or by requiring bonds that the goods thus sought to be shipped should not be permitted to be sent to ports in the insurgent States in aid of the existing rebellion, and in no case has any discrimination been made by me in favor of American vessels or American citizens over those of any other nationality.

Your instructions relative to our action in future cases arising out of this question, and your request that we shall furnish the Treasury Department with a statement setting forth our reasons for refusing clearances without the usual bond for goods not deemed contraband of war to any British port, will receive due attention.

I have the honor to be, very respectfully, your obedient servant,

HIRAM BARNEY, *Collector.*

Hon. S. P. Chase,
Secretary of the Treasury

No. 1.] 30 Great Winchester Street,
March 21, 1862.

Gentlemen: I will take your freight—say 290 tons, the whole not to weigh more than 130 tons, more or less—at the rate of £13, with customary primage. To deliver the same cargo, with all possible despatch, at Charleston or some other confederate port.

Yours, obediently,

JO. LAWSON

Messrs. Jorss & North, *Leeds.*

Supercargo to be furnished with a first class passage, free of charge.

J. L

P. S.—Payment of freight and insurance to be paid by bill of four months drawn on Jorss & Worth.

J. L.

No. 2.] 27 LEADENHALL STREET, LONDON,
March 21, 1862.

GENTLEMEN: In consideration of your undertaking to ship by my vessel (the Pacific) 250 tons or more of freight by Tuesday next, if possible, the 25th instant, I hereby agree to effect insurance to the extent of £25,000, and more, if possible, at the best current rate at Lloyd's.

I am, gentlemen, yours, faithfully,

A. T. CLARK.

Messrs. JORSS & NORTH, *Leeds*.

Underwriter's name shall be such as may be satisfactory to insured.

A. T. C.

No. 3.] 27 LEADENHALL STREET, LONDON,
April 8, 1862.

DEAR SIR: I acknowledge to have received bills of lading from you to a port in the Confederate States, which I undertake to get insured and returned to you, leaving one copy on board with your brother.

Yours, faithfully,

A. T. CLARK.

Mr. F. NORTH.

No. 4.] LONDON, *April* 8, 1862.

Received from Messrs. Jorss & North, of Leeds, their acceptances, at four months from the 5th instant, for the sum of £2,655, which, with £1,000 in bills drawn by Mr. Huxley & Co., to be handed over to me as per order of Mr. North, makes the total amount of freight account per Pacific £3,655 15*s.* 3*d*

A. T. CLARK & CO.,
Broker for Pacific.

No. 5.] PACIFIC, *Falmouth, April* 14, 1862—3 *p. m.*

MY DEAR SIR: Clark has dodged me and avoided signing—*i. e.*, indorsing the bills of lading for a confederate port. He has never once alluded to the subject, and I confess I am astounded at his temerity. He obtained the bills from Mr. North under a *threat*, and then deceived him by promising through bills of lading. I confess that I feared this, as I told you and Mr. Barkley at the time; but I did not think he would dare to leave England without giving said bills, signed by some one. You must at once apply to Clark for the promised through bills of lading which Mr. North told me he had promised by letter from Clark. I will try to carry everything out properly, but fear I have much to contend with. Mr. North and several others will aid me here.

Adieu,

JO. LAWSON.

Remarks.—On Friday, March 21, 1862, at about 2 p. m., the agreement No. 1 was written and signed by Lawson, whereupon he, North, and myself called upon Clark, to whom L. submitted the contract. After carefully perusing the same, Clark objected to the *time* of payment being *four months*, saying he had instructed L. to accept *three months' bills* of Jorss & North. He, however, *consented* to the terms, and wrote out the insurance agreement No. 2 at about 4 p. m., the shipment by the Pacific being conditioned, viz: that Clark should be able to effect the required amount of insurance and on the four months' bills.

This, he stated, could be easily done at from 17 to 20 G. per cent., possibly less; and thereby obtained the freight. Query: By the above, does not Clark indorse, approve, and confirm the contract of Lawson's, and is he not as much bound thereby to deliver the goods *in the confederacy* as if he himself had signed the contract or given a through set of bills of lading? If this be not sufficient, is he not then committed, by receiving the acceptances of Jorss & North for £3,655—being at the rate of £13 per ton, same as stipulated by L., and the current rate charged for a confederate port? If bound by this contract, then he must carry the goods through with all possible despatch, or he becomes liable for damages, and upon a suit in the south his ship can be tied up till the claim is satisfied. If the acceptances of Jorss & North are in his possession at *maturity*, payment can be resisted, either by want of consideration or non-fulfilment of contract. The *promise* in letter No. 3 induced Mr. North to give the acceptances which are acknowledged in No. 4, but as this promise was not performed, (vide Lawson's letter, No. 5,) can he not, under a charge of "false pretence," be restrained from using the papers? The greater part are in his possession.

J. N. BEACH.

MY DEAR JORSS: I have sent all the papers *in re* Clark to North, and herewith I hand you *copies* of the papers you may need. I would advise you, while on board ship, to make exact copies of what I have here written, so that (if necessary) you may send them to Root *immediately* upon your arrival at Nassau. Clark has called to say that he *expects* to get the steam yacht; and if so, he, Scott, and some others will go over in her in some *four* or *five* days, and he will want you to go too; but I think your own plan much better. If he signs the agreement we have prepared, and gives us the other undertakings, he can take the ship across *at once*, and it is *not* material whether you are there or not. If he does *not* effect this arrangement, he probably will not wish to run, or, at least, before you arrive out. I think, if he starts at the *appointed time*, you will reach there first, *via* New York; and should he not start *at all*, but send out an agent by the Liverpool steamer, where will you be then, if you wait for him? My advice is, carry out your own plan, independent of him. Your duties at Nassau will be very light and pleasant if Clark obtains the insurance and takes the ship over to a confederate port; but if you leave on Saturday, and the arrangement is not perfected *before you go*, your course will be one of some anxiety. With all due deference to your good judgment, I submit the following for your consideration:

Being advised by Mr. North you will, of course, know your legal rights and the better way of securing them. If not in conflict with his views, I would first call upon Messrs. Henry Adderley & Co., John B. Lafitte, esq., (agents of Fraser, T. & Co.,) and confer freely with them. You will then have all the *local* information you need to act wisely. I would then *insist* upon the ship completing her voyage at once, and, if not done, I will duly protect and then remove the whole or part of the goods, and, sending them over by different vessels, lessen the risk of capture. This plan seems advisable from this point; but possibly, if on the spot, it would be declined. I can only hope the difficulties may be removed by Clark's agreement to-morrow, yet I have some doubts about it. I wish you would write to Root *fully* and *freely* as soon as you can; send him samples; also full descriptions of *both* the cargoes, and he will be the better able to effect sales. To-morrow I will write to you at the "Adelphi Hotel." Bache will do £3,000 on freight and £5,000 on merchandise. How will you do about paying him the premium? I wish to send F., T. & Co. their policy for £5,000, also the Galbraith policy as per my agreement. If Clark does not settle with us, I presume Mr. North will commence proceedings as soon as you leave. I do not think of anything else at present. If you wish to write to me, address to Davison's care; and if not here, he will forward it to me. I should not advise sending the money to *Bache* direct, but by draft or some other way. You have, my dear Jorss, my *sincere* wishes for a pleasant, safe, and prosperous voyage, a successful issue from these difficulties at Nassau, and a speedy return to your dear wife and friends. Should you visit the south, I need only commend you to Root's care; in him you will find a friend and brother. God bless you, and keep you in health and prosperity is the wish of

Your attached friend,

BEACH.

This agreement, made this thirteenth day of March, one thousand eight hundred and sixty-two, between Messieurs Frederick Henry Jorss and Frederick North, of the one part, and John N. Beach, of London, in England, on behalf of himself severally, as well as on behalf of his partner, Sydney Root, who carry on business together, copartnerships under the firm of Beach & Root, in the city of Charleston, in the Confederate States of America, as merchants of the other part, whereby the said Jorss & North and Beach & Root, for the considerations herein set forth, contract and agree with each other, as hereinafter appears:

1. That the said Beach & Root shall, on the signing of this agreement, pay to the said Jorss & North the sum of three thousand pounds, either in cash or by acceptances, which acceptances are to be approved by the said Jorss & North.

2. That on receiving the said sum of three thousand pounds, as hereinbefore stated, the said Jorss & North shall, with all practicable expedition, engage a ship and freight the same with such goods as the said John N. Beach shall direct, and which ship shall be chartered to convey such goods to the said city of Charleston.

3. That the said Jorss & North shall insure the said ship and cargo for the city of Charleston, or any other port of the said southern States of America, in such an amount as the said Jorss & North may think proper; the said Jorss & North advancing the insurance premium, freightage money for goods, and all other expenses in and about the execution of this agreement, and all matters herein contained or relating hereto.

4. That the said Jorss & North shall appoint such party or parties as they may think proper, to take charge of the said goods and act as supercargo thereof, and that all such goods shall remain the property of the said Jorss & North till they shall have been reimbursed all money out of pocket in relation to this agreement and the matters herein contained. Such amount to be fixed by the receipts in their possession of moneys paid by them on account hereof, or accounts claimed from them and admitted by them to be due in respect hereof and the matters herein contained.

5. That the said John N. Beach hereby undertakes, on behalf of himself and his said partner, that within one fortnight after his said partner, Sydney Root, shall have been apprised of the arrival of the said ship in any southern port as aforesaid, that the said Sydney Root, acting on behalf of himself and the said John N. Beach, shall remit to the said Jorss & North, in such manner as shall be satisfactory to William North the younger, of Leeds, who will go out with such ship as supercargo of the goods, such an amount as will cover the said Jorss & North all outlays by them, of whatever kind, in relation to the execution and carrying out of this agreement, and which amount shall be conclusively fixed at such total sum as the said William North the younger shall

produce invoices and accounts for, whether paid or owing by the said Jorss & North, bearing the signature of the said Jorss & North. Should the said Sydney Root neglect to remit such amount to Jorss & North, as before stated, within the said fourteen days, the said William North the younger shall be at liberty to dispose of the cargo as he thinks fit; the proceeds of which disposition shall be for the benefit or loss of both the said parties hereto, in the same manner as though the said Sydney Root had complied with and performed that condition.

6. That after the arrival of the ship and payment of the invoices and accounts thereof and expenses relating to this agreement, as lastly before expressed, the said Sydney Root and William North the younger shall sell jointly the cargo as equal partners; the said William North the younger acting for and on behalf of and as the attorney of the said Jorss & North.

7. That in case of capture or loss of the said ship and cargo, or other prevention of their reaching their destination, as before expressed, the said Jorss & North shall, out of the insurance to be effected, as before expressed, and which insurance it is intended shall be a protection against risks of war as well as of the sea, refund to the said Beach & Root, as they or one of them may direct, the said sum of three thousand pounds, only retaining for themselves the balance of such insurance money, it being intended and hereby agreed that the said Beach & Root shall not be interested in, liable for, or entitled to participate in such goods until their arrival in a southern port, as hereinbefore expressed, or in the port of Nassau or any other intermediate port, as next hereinafter mentioned.

8. That should the said William North the younger find or consider it in his absolute discretion advisable to effect sales of the said goods or cargo at an intermediate port, the said Beach & Root shall participate in the profits thereof as though they were sold in a southern port, according to the terms hereinbefore stated; the said William North the younger, out of the proceeds of such sale or sales, retaining for the said Jorss & North all moneys payable by them or liabilities of them, fixed in the manner hereinbefore mentioned.

9. That should there be a loss to the said Jorss & North, on the close of the execution of this agreement, in the sending out of goods, as hereinbefore named, the said Beach & Root shall pay to the said Jorss & North one-half of such loss, and which loss shall be taken to be settled between both the said parties hereto, at such sum as the said William North the younger shall declare to be the difference between the sums paid by or liabilities of the said Jorss and North in respect of the matters in this agreement contained, as shall be evidenced by the invoices and accounts produced by the said Jorss & North, as hereinbefore mentioned, and the account sales of the said goods, comprising the cargo of the said ship.

10. If the said William North the younger and Sydney Root, after the sale of the said cargo, and completing of the agreement hereinbefore contained, shall think it desirable to reload the ship with cotton for the return journey to England, they shall be at liberty to do so in such manner as they shall think fit, and the clear profits arising from such cargo of cotton (and which cotton shall be paid for equally by the said William North the younger, on behalf of the said Jorss & North, and Sydney Root, on behalf of Beach & Root, out of the proceeds of the outward cargo) shall be divided equally between the said parties hereto.

11. That until the final completion hereof, and sale and realizations of the said outward cargo, the said Beach & Root shall have no claim on the said Jorss & North for the said sum of three thousand pounds, or any part thereof, but which said sum shall be credited and allowed to the said Beach & Root

in all accounts between the parties hereto, according to the spirit of this agreement. As witness our hands and seals.

H. F. JORSS.

Signed, sealed, and delivered by the within named Henry Frederic Jorss, in the presence of—

William Kappell,
Merchant, No. 2 Lower Mosley street, Manchester.
Edward Huter,
Bookkeeper, No. 2 Lower Mosley street, Manchester.

JOHN N. BEACH.

Signed, sealed, and delivered by the within named John N. Beach, in the presence of—

William Kappell,
Merchant, No. 2 Lower Mosley street, Manchester.
Edward Huter,
Bookkeeper, No. 2 Lower Mosley street, Manchester.

FREDERICK NORTH.

Signed, sealed, and delivered by the within named Frederick North, in presence of—

David Booth, *Clerk, Leeds.*
John North, *Solicitor, Leeds.*

Mr. Seward to Mr. Stuart.

Department of State,
Washington, August 20, 1862.

Sir: In the matter of the seizure in New Orleans of certain sugars made by the order of Major General Butler, and claimed by certain Greek, English, and other foreign merchants, I have the honor to state that the same, under the authority of the President, was investigated by the Hon. Reverdy Johnson during his recent mission to New Orleans, and that he has reported to this department that the sugars should be returned. This report having been approved by the President, directions will be given to the major general and to commanding officers of the United States at New Orleans to release the sugars to the claimants. A copy of so much of Mr. Johnson's report as relates to the transaction is herewith enclosed for your information.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. William Stuart, *&c., &c., &c.*

Mr. Reverdy Johnson to Mr. Seward.

[Extract.]

Washington, *August* 19, 1862.

The sugars seized by order of Major General Butler, and claimed by certain Greek, British, and other foreign merchants—

I. The largest quantity is claimed by Messrs. Covass & Negroponte, Greek merchants, residents of New Orleans.

The fact of their purchase of the sugars is not only fully proved, but was not contested. Their right to them, therefore, in the absence of other evidence, cannot be questioned. The seizure was made on the ground that the purpose of the claimants was, in some way or other, to assist the rebel government. Of this, however, there was no proof. The purchase of each parcel was shown to have been made in the customary mode, and to have been paid for in the customary mode. The bills drawn on Europe by the claimants, as was their uniform practice, placed in the hands of their bill brokers for sale—the price only being fixed by the house—were by the brokers sold, proceeds at first deposited in bank to their own credit, and the net amount of sales, less commission, paid to the claimants by the broker's check.

It does not appear that in this instance, or in any other, the claimants knew who were the purchasers of their bill, or with what purpose they were purchased. The suspicion that there existed, after the rebellion, as was suggested to me, "an association of Greek merchants residing in New Orleans, London, and Havana, or elsewhere, formed for the purpose of or actually carrying on the enterprise of selling foreign exchange for confederate money, with the view of transferring abroad the credit of the Confederate States to be converted into bullion for the purchase of arms and munitions of war," is wholly without support. And as to these claimants there is proof as positive and demonstrative as there could be in such a case that the fact was otherwise. They sold their bills and invested proceeds, from time to time, in the produce of the country, for sale here or shipment abroad. There is not a scintilla of evidence that they ever belonged to such an association, if there was one, (of which, however, there is no proof,) but, on the contrary, their conduct in negotiating their bills, as exhibited in the many depositions annexed, is absolutely inconsistent with such a connexion. The seizure by the major general was evidently made under a misapprehension. His conduct in this particular, as in those of the $800,000 and $716,196, is to be referred to the patriotic zeal which governs him, to the circumstances encircling his command at the time so well calculated to awaken suspicion, and to an ardent desire to punish, to the extent of his supposed power, all who had contributed, or were contributing, to the aid of a rebellion the most unjustifiable and wicked that insane or bad men were ever engaged in.

I am, therefore, clearly in the opinion that the sugars should be released. They have already lost much in quantity by leakage, and the sooner the return is made, the better, I beg to suggest, will it be for the cause of individual justice and the honor of the government.

* * * * * *

I have the honor to be, with high regard, your obedient servant,

REVERDY JOHNSON.

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, August 20, 1862.

SIR: Having informally understood from you that British subjects who had merely declared their intention to become citizens of the United States had expressed apprehensions that they might be drafted into the militia under the late requisition of the War Department, I have the honor to acquaint you, for their information, that none but citizens are liable to militia duty in this country, and that this department has never regarded an alien who may have merely declared his intention to become a citizen as entitled to a passport, and, consequently, has always withheld from persons of that character any such certificate of citizenship.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. WILLIAM STUART, *&c., &c., &c.*

Mr. F. W. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, September 1, 1862.

SIR: I have the honor to acknowledge the receipt of your note of the 30th ultimo, enclosing a copy of Earl Russell's despatch to you of the 28th of July last, which you read to the Secretary of State on the 16th of last month, and to be, with high consideration, sir, your obedient servant,

F. W. SEWARD, *Acting Secretary.*

Hon. WM. STUART, *&c., &c., &c.*

Mr. Stuart to Mr. Seward.

WASHINGTON, *September* 2, 1862.

SIR: A complaint having been made by Messrs. Murphy & Twining, of Halifax, to Vice-Admiral Sir Alexander Milne, and referred by the latter to her Majesty's government, respecting the manner in which United States cruisers are exercising their belligerent right of search, I have been instructed to represent the matter to the United States government, and to request that an inquiry may be instituted relative to the conduct of the United States officers in the cases of the Annette and Dart, mentioned in the letter of Messrs. Murphy & Twining, of which I do myself the honor to enclose you a copy herewith.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

WILLIAM STUART.

Hon. WILLIAM H. SEWARD.

Messrs. Murphy and Twining to Admiral Milne.

HALIFAX, N. S., *July* 10, 1862.

SIR: We take the liberty of addressing you, as the naval commanding officer on this station, to call your attention to the following circumstances: Our brigantine, the Annette, Curtis, master, of this port, on her late voyage from Matanzas to Halifax, with a cargo of sugar, was on the evening of the 20th ultimo, coming through the gulf of Florida, lat. 25° 44′ N., long. 79° 58′, chased by a steamer showing United States colors, hailed, ordered to heave-to, and boarded by an officer of the said steamer, who demanded ship's papers, and after examination and defacing them by remarks, allowed Captain Curtis to proceed on his voyage, after considerable detention.

The steamer, by indorsation on the brig's register, was the United States steamer Rhode Island.

These instances of searching our vessels are now becoming so frequent that we have thought it advisable to call your attention to the above, with the hope that you will take steps to remedy this grievance. Some of these American cruisers are not content with ordering our vessels to heave to, to be searched, but in some instances (as in the case of the brigantine Dart, Conrad, master,) have fired into our vessels.

The conduct of the boarding officers also being particularly offensive. In this instance our vessel was detained at an unreasonable hour in a bad position, and at some considerable risk to ship and cargo, and might have proved of serious loss to us. Trusting that you will take some steps to prevent the recurrence of these most annoying, unlawful, and insulting acts of these American cruisers in the gulf,

We remain, &c., &c.,

MURPHY & TWINING.

Sir A. Milne, K. C. B., *&c., &c., &c.*

Mr. Stuart to Mr. Seward.

Washington, *September* 2, 1862.

Sir: Having forwarded to Earl Russell a copy of the note which you did me the honor to address to me on the 23d of July last, respecting the case of the Will-o'-the-Wisp, I have been instructed to inform you, with reference to the observations therein contained relative to the inconvenience sustained by neutrals engaged in honest trade with Matamoras, that when Great Britain was at war with Russia her Majesty's government did not enforce the blockade of a port near to the Russian frontier in order not to interrupt neutral commerce.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

W. STUART.

Hon. William H. Seward, *&c., &c., &c.*

Mr. Seward to Mr. Stuart.

Department of State,
Washington, September 4, 1862.

Sir: I have the honor to acknowledge the receipt of your note of the 2d instant, with the accompanying extract of a letter from Commodore Edmonstone to Rear Admiral Sir Baldwin Walker, on the subject of the African slave trade, and to inform you in reply that you are entirely correct in supposing that I would learn with satisfaction that the present suspension of that obnoxious traffic may be ascribed to the measures which have been taken in this country towards punishing those engaged in it.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. William Stuart, *&c., &c., &c.*

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, September 5, 1862.

SIR: I have received the papers remitted to you from Canada, and informally communicated by you to this department in my absence. It affords this government the greatest satisfaction to know that the British authorities in Canada are so earnestly and judiciously employed, as these papers show they are, in preventing and allaying irritation on their side of the frontier. You have rightly expected that the civil authorities of the United States on the frontier will be cautioned to practice the utmost justice, forbearance, moderation, and courtesy towards British subjects in executing the duties relating to American citizens confided to them by the War Department.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. WM. STUART, *&c., &c., &c.*

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, September 6, 1862.

SIR: I have the honor to acknowledge the receipt of your note of the 2d instant, in which you state that you have been instructed to inform me, with reference to the observations contained in my note to you of the 23d of July last, in the case of the Will-o'-the-Wisp, relative to the inconvenience sustained by neutrals engaged in honest trade with Matamoras, that when Great Britain was at war with Russia her Majesty's government did not enforce the blockade of a port near to the Russian frontier in order not to interrupt neutral commerce.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. WM. STUART, *&c., &c., &c.*

Mr. Stuart to Mr. Seward.

WASHINGTON, *September* 6, 1862.

SIR: The painful nature of the letters which have reached me by this day's post from British subjects residing in the United States renders it absolutely necessary that I should request you to have the kindness to take prompt and energetic measures for their protection.

I shall proceed to state, as briefly as possible, a few of the cases which have been brought to my notice, and which, although I cannot for a moment believe that such extravagant threats as those to which allusion is made would be carried into execution, are sufficient to show that a system of intimidation is being established in some places which may lead to most disagreeable results.

Mr. Christopher Cleburne, a British subject, with a consular certificate of his nationality, writes that he was imprisoned at Newport, Kentucky, by the provost marshal, for refusing as an alien to report for military duty. His mother, writing on the 4th instant, informs me that on that morning the option had been tendered to him of falling into the ranks or of being shot.

Mr. Robert McMillan writes from his place, near Whitewater, in Wisconsin, that his son, Andrew McMillan, whilst on his way to fulfil an engagement in Canada, was arrested and kept in prison at Cleveland, Ohio, for fifteen days, when he was induced to enlist by a captain who told him that he must either do so or be sent to Columbus and put to hard labor. The young man is at present serving in Captain Vale's company, 103d regiment Ohio volunteers, Cleveland, and his father reports him to demand his discharge.

Mr. James Brown, writing from Cincinnati, (197 Vine street,) alleges that after examination before the provost marshal, he was assured that as being an alien his name would be removed from the military list, but that three soldiers subsequently came to his house, and refusing to pay any attention to his protestations that he was a British subject, they would have dragged him out had he not happened to have a sore arm, on account of which they respited him for a few days. They, however, took out by force a British subject who was with him, a young man named Andrew Hardie.

Mr. Alexander Mettwen, another British subject, informs me from Cincinnati, that on the 4th instant he had been forced to join a company, and that he wishes to be restored to his wife and children, who are in Clay county, Illinois.

As such proceedings are in direct violation of your own declaration that aliens are exempt from military service, I need not represent them to you on any other grounds, knowing that you will at once see that reparation is made in each of the cases to which I have alluded.

It is probable, however, that the evil will increase and be extended to other places, unless measures are promptly taken to check it in its infancy, and I would therefore suggest that a circular from you to the different governors of States, as well as to the federal military authorities or provost marshals, defining the rights of aliens in the present emergency, might be the means of preventing much injustice, intimidation, and hardship.

Lest you may suppose that in calling your attention to the subject in question I have not sufficiently considered the difficult and exceptional circumstances in which this country is unfortunately placed, I shall state, in conclusion, that I have no desire that British subjects should be exempted from all the obligations ordinarily incident to domicile, such as service in the local police, where imposed by the municipal law, or in companies formed exclusively for the maintenance of internal peace and order and for the protection of property.

But no further military service can be required of them without compelling them to violate the Queen's proclamation of neutrality by taking part in the war, and I must therefore appeal to you to afford them proper protection against any compulsory service beyond that which I have admitted above to be properly due from aliens to the locality in which they are domiciled.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

W. STUART.

Hon. WILLIAM H. SEWARD, *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, September 11, 1862.

SIR: In a letter to this department of the 29th ultimo General Shepley, the military governor of Louisiana, represents that he is doing everything in his power towards increasing the exports of cotton from New Orleans. He adds that there are now no restrictions of any kind on the part of the military or civil authorities of the United States which impede the receipts of cotton at, or its shipment from, that port. The obstacles interposed are entirely those of the insurgents, and these he would use all proper and loyal means to overcome.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. WILLIAM STUART, *&c., &c., &c.*

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, September 11, 1862.

SIR: I have the honor to acknowledge the receipt of your note of the 9th instant, which relates to the complaint of Francis Carroll.

I must be permitted to say that, through inadvertence, you seem to me to have somewhat misunderstood his case. You assume that his confinement has been directed by the War Department, in order to gratify the revenge of an individual with whom he has a quarrel. On the contrary—although I see in the letter which was written by Carroll to Mr. Paca provocation to revenge—I do not find any evidence in the case that he has given indulgence to that passion or to any vindictive sentiment. The letter shows that Carroll is a public enemy. Certainly a presumption of good instead of bad motives arises when, in an hour of danger, a loyal citizen gives warning against a public enemy. So it can hardly be believed, without some evidence, that the military authorities of the United States, in deciding to arrest Carroll, sympathized at all with any retaliatory feelings on the part of Mr. Paca, even if they were entertained by him. It is not perceived how they could have overlooked the complaint.

The city of Baltimore and the State of Maryland are well known to contain a seditious class of persons who are connected with an armed and open insurrection in other States to subvert the government of the United States. These seditious persons have once actually raised the standard of civil war in Baltimore. A large national force has for more than a year been kept up in Maryland to overawe and repress this sedition.

Francis Carroll was denounced to the military authorities as an active partisan of this class. His letter written to Mr. Paca proves that the denunciation was probably just. So far as we know, he has not denied the authenticity of the letter, nor given any sign of any change of sentiment, or any assurance of amending his course, even if he should be set at liberty.

Is the government of the United States to be expected to put down treason in arms, and yet leave persons at liberty who are capable of spreading sedition, and who deliberately write to a loyal citizen that he "is a spy of an alien and miscreant government?" Certainly the government could not expect to maintain itself if it allowed such mischievous license to American citizens. Can the case be different when the dangerous person is a foreigner living under the protection of this government?

I can conceive only one ground upon which his release can be ordered, and that is that he may be too unimportant and too passionate a person to be heeded in his railings against the government. But you will bear in mind that the times are critical, and that sedition is easily moved now by evil designing men who, in times of peace, might be despised. It would seem to belong to the War Department to decide whether Francis Carroll could, in the existing condition of military affairs in Maryland, be set at liberty consistently with the public safety. At least before the President could decide to accede to your wishes on that subject, it will be proper for him to have the opinion of the Secretary of War upon the question, and I shall with pleasure consult him upon the subject.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. WM. STUART, *&c., &c., &c.*

Mr. Stuart to Mr. Seward.

WASHINGTON, *September* 13, 1862.

SIR: I have been instructed by Earl Russell to communicate to you the accompanying copy of the instructions which it is intended to furnish to the commanders of her Majesty's cruisers who may be employed in carrying out the provisions of the treaty recently concluded between her Majesty's government and the government of the United States for the suppression of the African slave trade. I have the honor likewise to enclose lists of the several ships employed on the African, North American, and West Indian stations, whose commanders will be authorized to act under the treaty, stating also the names of the commanders and the force of each vessel; and I am to request that you will furnish me with a similar list of United States cruisers. I am at the same time desired to inform you that her Majesty's government have already mixed commission courts established at Sierra Leone and the Cape of Good Hope, and that by the first mail from England in the present month the officers in those courts were to be authorized and instructed to adjudicate in the cases of any vessels that may be brought before them under the provisions of the treaty. As regards the court to be established at New York, Mr. Archibald, her Majesty's consul at that city, is to be appointed to the office of her Majesty's judge, and Mr. Ryder, now her Majesty's arbitrator in the mixed commission court at the Havana, is to be appointed in the same capacity at New York.

In making known these appointments to the United States government, I am to state to you that her Majesty's government are only now waiting the appointment of officers on the part of the American government to the courts to be established at the Cape of Good Hope and Sierra Leone, in order to issue the necessary instructions to her majesty's cruisers to carry out the stipulations of the treaty between the two countries.

An officer, in whose discretion and judgment her Majesty's government have every confidence, was to be appointed in a few days after the date of Lord Russell's despatch to me (which was of the 30th ultimo) to the command of her Majesty's naval forces on the west coast of Africa, and it is expected that that officer will take his departure from England towards the end of this month. As it is considered important that he should take out with him the instructions for the squadron to act under the treaty, I am further instructed to ask you whether there will be any objection on the part of the United States government to the necessary instructions being sent out by him, or whether they would wish that the operations of the squadrons should be delayed until they are assured of the arrival at their post of the officers appointed on the part of the United States government to the mixed commission courts on the African coast.

I shall accordingly feel obliged to you if you will make me acquainted with the decision of the United States government on this matter with as little delay as possible.

I avail myself of this occasion to renew to you the assurance of my highest consideration.

WILLIAM STUART.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

ADMIRALTY, *August* 28, 1862.

SIR: With reference to your letters of the 5th June last and 14th instant, I am commanded by my lords commissioners of the admiralty to acquaint you, for the information of Earl Russell, that warrants have been prepared for transmission to the several officers in command of her Majesty's cruisers engaged in the suppression of the slave trade on the coast of Africa and in the North American and West Indian station, to act under the treaty recently concluded between Great Britain and the United States of America. An act of Parliament necessary for carrying the treaty into effect, viz: the 25th and 26th Vic., cap. 40, has now passed, and, in accordance with my letter of the 13th June last, warrants, with copies of the treaty, are ready for transmission to the officers as soon as my lords are informed that the mixed courts of justice are established and ready to take cognizance of captures made by virtue of the said treaty.

A list of the ships, with their force, to which these warrants will be sent, is, at present, as stated in the enclosed list.

I am, &c.,

W. G. ROMAINE.

UNITED STATES OF AMERICA.

By the commissioners for executing the office of lord high admiral of the United Kingdom of Great Britain and Ireland.

Whereas a treaty between Great Britain and the United States of America, for the suppression of the slave trade, was signed at Washington on the 7th April, 1862, instructions for cruisers, marked A, and regulations for mixed courts of justice, marked B, being annexed thereto, and declared to form an integral part thereof, and the ratifications of the same were exchanged at London on the 20th of May, 1862; and whereas the high contracting parties mutually agreed thereby that ships of their respective navies, furnished with the instructions contained in annex A to the treaty, might visit, search, and send in for trial, merchant vessels of the two nations suspected on reasonable grounds of being engaged in the illegal traffic in slaves; and whereas we think fit that her Majesty's ship under your command should be one of those authorized to act under the treaty—

We furnish you with a copy of the said treaty, and of its annexed, marked A and B; and you are hereby expressly authorized, empowered, and ordered to act in the suppression of the traffic in slaves according to the said treaty.

List of her Majesty's ships employed in the suppression of the slave trade at Cape of Good Hope and West Coast of Africa.

Ship's name.	Guns.	Commanding officer's name.	Remarks.
Narcissus	39	Captain J. G. Bickford	Flag-ship.
Orestes	21	Captain Att Gardner	
Gorgon	6	Commander J. E. Wilson	
Ariel	7	Commander W. E. Chapman	
Penguin	5	Lieutenant J. G. G. McHardy	Tender to Narcissus.
Rattlesnake	19	Captain Arthur P. Wilmot	Commodore.
Brisk	16	Captain John P. Luce	
Zebra	17	Commander A. H. Haskins	
Rapid	11	Commander E. J. Jago	
Wrangler	5	Commander Henry Beamish	
Ranger	5	Commander H. R. Wratislaw	
Torch	5	Commander Fred. H. Smith	
Espoir	5	Commander Sholto Douglass	
Philomel	5	Commander Levison Wildman	
Griffen	5	Commander J. L Perry	
Dart	5	Commander F. W. Richards	
Lee	5	Commander Edwin J. Symonds	
Mullet	5	Commander E. H. Simpson	
Bloodhound	3	Lieutenant John G. Stokes	
Antelope	5	Lieutenant E. O'Dallingham	
Investigator	2	Lieutenant B. L. Lefroy	
Wye	2	Master Comm'g T. G. Roberts	

List of her Majesty's ships employed in the suppression of the slave trade at North America and West Indies.

Ship's name.	Guns.	Commanding officer's name.	Remarks.
Hero	89	Captain A. P. Ryder	
Nile	78	Captain E. K. Barnard	Flag-ship.
Orlando	46	Captain G. G. Randolph	
Immortality	35	Captain George Hancock	
Ariadne	26	Captain E. W. Vaunttat	
Phæton	39	Captain Edward Tatham	
Challenge	22	Captain J. T. Kennedy	
Cadmus	21	Captain John F. Ross	(Acting.)
Jason	21	Captain E. P. B. Van Donop	
Vesuvius	6	Captain R. V. Hamilton	
Desperate	8	Commander A. T. Thrupp	
Rinaldo	17	Commander W. N. W. Hewitt	
Greyhound	17	Commander H. D. Hickley	
Baracouta	6	Commander C. T. Malcolm	
Spiteful	6	Commander W. E. T. Wilson	
Styx	6	Commander Hon. W. J. Ward	
Medea	6	Commander Darcy L'Purton	
Petrel	11	Commander G. W. Watson	
Landrail	5	Commander T. H. Martin	
Cygnet	5	Commander W. S. De Kautrow	(Acting.)
Steady	5	Commander H D. Grant	
Glover	5	Commander Hon. A. L. Corry	
Nimble	5	----------------------	Tender to Nile.

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, September 18, 1862.

SIR: I have the honor to acknowledge the receipt of your note of the 16th instant in regard to Francis Carroll, and it gives me much pleasure to admit all the liberality and candor of the sentiments upon that subject which you have expressed.

I transmit, herewith, a note relating to the same case, which I have just received from Major Turner, assistant judge advocate general, to whom the subject of Carroll's detention was referred by the honorable Secretary of War. In view of the additional light thrown upon the case by this letter, and of the further fact that the invading insurgents who entered Maryland for the purpose of producing an armed uprising of the disloyal inhabitants there have not yet left the State, I have felt obliged to acquiesce in the opinion of the War Department, that it would be hazardous to the public safety to discharge Francis Carroll from confinement at the present time. I will, however, with pleasure, recur to the subject after some little delay, if you desire it.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. WM. STUART, *&c., &c., &c.*

Major Turner to Mr. Seward.

WAR DEPARTMENT,
Washington City, September 17, 1862.

SIR: I have the honor to acknowledge the receipt of your note of the 15th instant, in relation to Francis Carroll, with the enclosures therein named, and in answer thereto, and additional to my communication of the 5th instant upon the same subject, respectfully to say: That since the 5th instant, by order of the Secretary of War, I have examined the persons imprisoned at Fort Lafayette for alleged political offences, and among the persons examined was Francis Carroll. He claimed to be a British subject and in nowise amenable to the United States government. He said he would not take an oath to abstain from rendering aid and comfort to the rebellion, because, owing no allegiance to the United States, he had the right to aid and assist "either side," at his pleasure. He is an Irishman, of unusual volubility, and apparently, by his language and conduct, a desperate and reckless person.

Although it may not be strictly within the rules of official correspondence, I will take the liberty to state that the commandant at Fort Lafayette informed me that Carroll addressed a letter to the British consulate at New York, asking intervention and protection, if they had time, *aside from wine and women,* to give it, and that the answer thereto was, that if he used language as impertinent and insulting to the United States officials, his imprisonment was merited

There may not be any objection to discharging Carroll on condition that he will leave the United States, as suggested in the postscript of your note, provided it be desired, and reliable assurance or guarantee be given that he shall not return; but in times like the present, I am quite sure that persons of such desperate and reckless character had better be under restraint, for the better preservation of the peace and good order of all nationalities.

With assurances that your suggestions and recommendations in this regard will be promptly followed, I have the honor to be, very respectfully, your obedient servant,

L. C. TURNER, *Judge Advocate.*

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Stuart to Mr. Seward.

WASHINGTON, *September* 25, 1862.

The undersigned, her Britannic Majesty's chargé d'affaires to the United States of America, has received instructions from her Britannic Majesty's principal secretary of state for foreign affairs to address to the Secretary of State of the United States a further representation respecting the restrictions imposed by the United States government on trade between New York and ports in the British West Indies.

The undersigned is instructed to say that her Majesty's government consider the question to be one of great importance, and that, however desirous they may be of making every allowance for the difficulties of the position of the United States government, it is impossible for them to acquiesce in the system of interference with the legitimate trade of Great Britain which is now practiced by the United States authorities, such interference being not only in contravention of the existing treaties between Great Britain and the United States, but being also contrary to the established principles of international law.

It appears that British vessels lawfully trading between New York and the Bahamas are, in some instances, refused clearances at New York, and in others, after having been regularly cleared, with full knowledge by the United States authorities of the articles on board, are detained and searched, and are required either to reland portions of their cargoes, or to give bonds that no part of the cargo shall, at any indefinite time, be used by the enemies of the United States. And these proceedings are not claimed to be prescribed by any general law or regulation of commerce, but are avowed to be wholly discretionary with the collector of customs, to be enforced by him whensoever he shall entertain the suspicion and belief that the real destination of the cargo is, mediately or immediately, to some port in the possession of the enemies of the United States, or if he shall be satisfied that "there is imminent danger that the goods, wares, and merchandise, of whatever description, laden on such vessels, will fall into the possession or under the control of the insurgents," &c. The collector of customs, in his report of the 12th of June, states that, "in the exercise of the discretion devolved upon him as an officer of the government of a sovereign people, he had prohibited the shipment of coals, and dry goods, and shoes, and quinine, and other drugs, and tin ware, and munitions of war, and sundry other articles, to Nassau and the West Indies, and other foreign ports, when he had reason to suspect that they were intended, by individual enterprise, or the special contracts of British subjects, to contribute directly to the welfare of the enemies of the United States."

The undersigned is instructed to state that her Majesty's government cannot call to mind any principle of international jurisprudence, nor any precedent approved by international law, to justify such interference with the trade of neutrals.

The undersigned would submit to the consideration of the cabinet at Washington that trade between Great Britain and the United States, at least as to ports and places in the undisturbed possession of the United States, is not in any degree affected by the state of war in which the United States are engaged, and, moreover, that trade between Great Britain and an enemy of the United States (the former preserving a strict neutrality or indifference between the belligerent parties) can be affected only in the manner and to the extent prescribed by the international law of blockade.

The United States government will admit that shipments similar to those now subjected to interference from New York to Nassau and other British ports, if made in time of peace, could not be prohibited without giving manifest cause of just complaint to Great Britain, especially while such shipments remain open to other nations not having with the United States treaties of a more favorable nature. It follows that to prohibit such shipments to British subjects while permitting them to the subjects of other nations is to assume a state of quasi hostility to Great Britain on account of geographical or other circumstances supposed to mix her up with interests of the enemy of the United States.

The doctrine assumed by the United States authorities would seem to be that goods which ordinarily may be lawfully shipped from the United States by British subjects to certain British ports in British bottoms may be embargoed, if, in the judgment of an inferior officer, such as the collector of a port, there is imminent danger that on their passage to the British port the enemy will unlawfully seize them, or that, having safely arrived at that port, they may, with greater facility, be exported thence to the enemy, or that they may, in any way, "fall into the possession of, or under the control of, the enemy."

The undersigned is instructed to say that her Majesty's government cannot assent to such a doctrine.

Great Britain has declared her neutrality in the contest now raging between the United States government and the so-styled Confederate States. She is, consequently, entitled to the rights of neutrals, and to insist that her commerce shall not be interrupted, except upon the principles which ordinarily apply to neutrals. These principles authorize nothing more than the maintenance of a strict and actual blockade of the enemy's ports by such force as shall, at the least, make it evidently dangerous to attempt to enter them. But the fact of a neutral ship having succeeded in evading a blockade affords no ground for international complaint, nor is it an offence which can be punished upon any subsequent seizure of the ship after she shall have successfully run the blockade. Her Majesty's government consider that it would be introducing a novel and dangerous principle in the law of nations if belligerents, instead of maintaining an effectual blockade, were to be allowed, upon mere suspicion or belief, well or ill-founded, that certain merchandise could ultimately find its way into the enemy's country, to cut off all or any commerce between their commercial allies and themselves. This would be to substitute for the effectual blockade recognized by the law of nations a comparatively cheap and easy method of interrupting the trade of neutrals. But when this illegal substitute for such a blockade is applied to a particular nation on account of the geographical position of its territories, or for other reasons, while the same ports of the belligerent are open for like exports by other nations, the case assumes a still graver complexion.

The undersigned is further instructed to say that, although the question raised by this interference with the trade of Great Britain is as to what are the international obligations of the United States towards Great Britain as a neutral country, and not as to what may be at any given moment the local laws of the United States, which laws cannot override treaty rights, it may not be amiss to point out that the system of interference complained of is, apparently, not in conformity, even, with the terms of the act of Congress under which the treasury instructions were issued. That act authorizes the refusal of clearances to foreign vessels only when the Secretary of the Treasury should "have satisfactory reasons to believe that the goods, or some part of them, were intended for ports or places in possession or under control of insurgents against the

United States," and authorizes bonds to be taken only to secure the delivery of the cargo at the destination for which it is cleared, and in order that no part should be "used in affording aid or comfort to any person or parties in insurrection against the authority of the United States."

If this latter condition is to be understood, as in reasonable construction it must, of any use preceding delivery at the specified destination, it may not be objectionable; but if meant to make the master and owner responsible for any subsequent use of the articles constituting the cargo after they have passed beyond their power or control, it is unreasonable and perfectly inadmissible. With respect to the apprehension of "imminent danger that goods, &c., may fall into the possession or under the control of the insurgents," it may also be observed that the act of Congress appears to contain no provisions whatever applicable to any exports by sea from the United States; the third section, which relates to that subject, being strictly confined to "importations into any port of the United States," and to "transportation upon any railroad, turnpike, or other road or means of transportation within the United States." It would therefore appear that what has been done with respect to this point is not only contrary to the obligations of treaties and international law, but also beyond the letter of the special and extraordinary enactments passed by Congress itself.

The President cannot expect that Great Britain should allow British trade with her own colonies by way of the United States, or the trade between her own colonies and the United States, to be fettered by restrictions and conditions inconsistent with treaties between the United States and Great Britain, and repugnant to international law.

Her Majesty's government expect, therefore, that the President, in the exercise of his discretion, will prohibit the imposing of all such restrictions and conditions as have been complained of in the present note.

The undersigned avails himself of this opportunity to renew to the Secretary of State the assurance of his highest consideration.

W. STUART.

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, September 25, 1862.

The undersigned, Secretary of State of the United States, has had the honor to receive the note of this date from Mr. Stuart, her Britannic Majesty's chargé d'affaires, on the subject of the restrictions imposed by this government on trade between the port of New York and the British West Indies.

The undersigned will loose no time in laying this communication before the President, with a view to take his directions in regard to a reply to the same.

The undersigned avails himself of this occasion to offer to Mr. Stuart a renewed assurance of his very high consideration.

WILLIAM H. SEWARD.

Hon. WILLIAM STUART, *&c., &c., &c.*

Mr. Seward to Mr. Stuart.

DEPARTMENT OF STATE,
Washington, October 3, 1862.

SIR: The undersigned, Secretary of State of the United States, having taken the President's instructions, has now the honor to reply to the note which was addressed to the undersigned by the honorable William Stuart, her Britannic Majesty's chargé d'affaires, on the 25th day of September last, concerning certain proceedings of the collector of customs at New York, affecting clearances of vessels and cargoes from that port to British ports in the Bahama islands.

In June last, Lord Lyons, her Britannic Majesty's minister, then residing here, submitted to the undersigned a letter which had then recently been addressed to his lordship by P. Edwards, esq., her Majesty's acting consul at New York. It was set forth in that communication that the custom-house authorities in that port had, upon several occasions, thrown serious impediments in the way of the shipment of coal, as ordinary merchandise, to Nassau, and, in some cases where the goods were already embarked and even cleared at the custom-house, they had refused to permit the vessel to go to sea until such goods have been relanded; and that one of the officials had shown him an order, issued from the Treasury Department, of the 18th of April, in which shipments of coal were prohibited to any ports or places north of Cape St. Roque and west of the fifteenth degree of longitude east, where there was a reason to suspect that it might be intended for the use of the so-called confederate government or ships, and this prohibition embraced all the British North American colonies, British West Indies, Bermuda, and the British possessions on the coast of South America. Mr. Edwards also stated, in the same letter, that, upon inquiry of the officer having superintendence of the clearance bureau whether it was intended that this order should be strictly enforced, that officer replied that such was the collector's intention. Mr. Edwards proceeded to state that a British merchant, largely interested in the trade of the North American colonies and West Indies, had informed him that that merchant had made repeated applications to the custom-house to be allowed to export coal, some of which was to be tendered for the use of her Majesty's vessels upon the West India station, at the same time offering to enter into bonds that it should be landed in foreign ports, but that his applications had all been rejected. Mr. Edwards then commented on what he assumed to be the instructions of the Hon. Mr. Chase, Secretary of the Treasury of the United States, to the collector at New York, and complained that the very great discretionary powers which those instructions were supposed to give to the collector had been used to the annoyance and injury of British trade, and, in this connexion, he represented that in one case where a quantity of dry goods, consisting of plain and printed cotton fabrics, had been shipped on a British vessel for Nassau, the shippers were obliged, by the custom-house, to reland them before permission for the vessel to proceed to sea could be obtained; that in another a number of packages of shoes were prohibited from exportation; and that, in a more recent case, where an order had been received from some merchants at Nassau to ship a quantity of drugs, consisting of sulphate of quinine, cantharides, and acids, only a portion of the order was permitted to be exported. Mr. Edwards further stated that, at one time, strong exception was taken by the custom-house officials to what they alleged to be an extraordinary quantity of flour and provisions shipped at New York for the British West Indies, but that he was not aware that it amounted to actual prohibition. Mr. Edwards concluded with saying that much inconvenience had been experienced, and yet continued to be experienced, by British merchants in New York from the manner in which the instructions issued by the Treasury Department had been enforced; that articles of ordinary export were at times prohibited, and while wares which could be of service to belligerents have been allowed to pass uninvestigated.

The letter of Lord Lyons was immediately submitted to the Secretary of the Treasury for his consideration. That officer, upon examining the case, communicated a note to this department, in which he stated that the restrictions upon the exportation of coal had been enforced by the collector under instructions of the treasury, of the 18th of April, 1862, alike upon domestic and foreign shipping clearing to ports north of Cape St. Roque and west of the fifteenth degree of longitude east; and the treasury would, with pleasure, remove all restrictions upon trade when the existing imperative necessity which had induced them should cease. The Secretary of the Treasury, with his note, communicated to the undersigned a report upon the general subject from the collector of the customs at New York, in which that officer stated that, in the exercise of the discretion devolved upon him, he had prohibited the shipment of coals, dry goods, shoes, quinine and other drugs, tin ware, munitions of war, and sundry other articles, to Nassau and the West Indies, and other foreign ports, when he had reason to suspect that they were intended, by individual enterprise, or the special contracts of British subjects, directly to contribute to the welfare of the enemies of the United States; and, in regard to the statement of Mr. Edwards, that articles of ordinary export have, at times, been prohibited, while wares which could only be of service to a belligerent were allowed to pass unquestioned, the collector answered that he had no data in his possession which could be referred to for the facts thus charged.

The note of the Secretary of the Treasury and the report of the collector of customs at New York were promptly communicated by the undersigned to the honorable Mr. Stuart, who transmitted the same to his government.

The note of Mr. Stuart which is now under consideration presents, as the undersigned is informed, the views of her Majesty's government upon the subject of the correspondence which has been briefly but, as is believed, fairly recited. By that note the undersigned is informed that her Majesty's government regard the subject as one of great importance, and that, however desirous of making every allowance for the difficulties of the position of the United States that government may be, it is impossible for them to acquiesce in the system of interference with the legitimate trade of Great Britain which is now practiced by the United States authorities, such interference being not only in contravention of the treaties existing between Great Britain and the United States, but also the established principles of international law.

Mr. Stuart then, upon the documents which have been recited, states the case which is thus pronounced to be inadmissible, as follows, namely: "It appears that British vessels lawfully trading between New York and the Bahamas are in some instances refused clearances at New York, and in others, after having been regularly cleared, with full knowledge of the United States authorities of the articles on board, are detained and searched, and are required either to reland portions of their cargoes or to give bonds that no part of the cargo shall at any intermediate time be used by the enemies of the United States. And these proceedings are not claimed to be prescribed by any general law or regulation of commerce, but are avowed to be wholly discretionary with the collector of the customs, to be enforced by him whenever he shall entertain the suspicion and belief that the real destination of the cargo is, mediately or immediately, to some port in the possession of the enemies of the United States, or if he shall be satisfied that there is imminent danger that the goods, wares, and merchandise, of whatever description, loaded on such vessels will fall into the possession or under the control of the insurgents. The collector of the customs, in his report of the 12th of June, states that, in the exercise of the discretion devolved upon him as an officer of the government of a sovereign people, he had prohibited the shipment of coals and dry goods and shoes, and quinine and other drugs, and tin-ware, and munitions of war, and sundry other articles, to Nassau and the West Indies, and other foreign ports where he had reason to suspect that they were intended, by individual enterprise, or the special contracts of British subjects, to contribute directly to the welfare of the enemies of the United States."

Upon the facts thus assumed Mr. Stuart proceeds to argue the case, saying that her Majesty's government cannot call to mind any principle of international jurisprudence, nor any precedent approved by international law, to justify such interference with the trade of neutrals. That trade between Great Britain and the United States, at least as to ports and places in the undisturbed possession of the United States, is not in any degree affected by the state of war in which the United States are engaged; and, moreover, that trade between Great Britain and an enemy of the United States (the former preserving a strict neutrality or indifference between the belligerent parties) can be affected only by the international law of blockade. Mr. Stuart proceeds to remark that the United States will admit that shipments similar to those now subjected to interference from New York to Nassau and other British ports, if made in time of peace, could not be prohibited without giving manifest cause of just complaint to Great Britain, especially when such shipments remain open to other nations not having with the United States treaties of a more favorable nature. It follows, therefore, Mr. Stuart says, that to prohibit such shipments to British subjects, while permitting them to the subjects of other nations, is to assume a state of quasi hostility to Great Britain, on account of geographical or other circumstances supposed to mix her up with the interests of the enemy of the United States. Mr. Stuart proceeds to remark that the doctrine assumed by the United States authorities would seem to be that goods which ordinarily may be lawfully shipped from the United States by British subjects to certain British ports in British bottoms may be embargoed if, in the judgment of an inferior officer, such as the collector of a port, there is imminent danger that on their passage to the British port the enemy will unlawfully seize them, or that, having safely arrived at that port, they may with greater facility be exported thence to the enemy, or that they may in any way fall into the possession of or under the control of the enemy. After declaring that he is instructed to say that her Majesty's government cannot assent to such a doctrine, Mr. Stuart observes that Great Britain has declared her neutrality in the contest now raging between the United States government and the so-called Confederate States, and that she is consequently entitled to the rights of neutrals and to insist that her commerce shall not be interrupted except upon the principles which ordinarily apply to neutrals; that these principles authorize nothing more than the maintenance of a strict and actual blockade of that enemy's ports, by such force as shall at least make it evidently dangerous to attempt to enter them. But the fact of a neutral ship having succeeded in evading a blockade affords no ground for international complaint, nor is it an offence which can be punished upon any subsequent seizure of the ship after she has successfully run the blockade. Mr. Stuart adds that her Majesty's government consider that it would be introducing a novel and dangerous principle in the law of nations if belligerents, instead of maintaining an effective blockade, were to be allowed, upon mere suspicion or belief, well or ill founded, that certain merchandise could ultimately find its way into the enemy's country, to cut off all or any commerce between their commercial allies and themselves; that this would be to substitute for the effectual blockade recognized by the law of nations a comparatively cheap and easy method of interrupting the trade of neutrals. But when this illegal substitution for such a blockade is applied to a particular nation, on account of the geographical position of its territories, or for other reasons, while the same ports of the belligerent are open for like exports to other nations, the case assumes a still graver complexion. Mr. Stuart adds that, although the question raised by the supposed interference with the trade of Great Britain is as to what are the international obligations of the United States towards Great Britain as a neutral country, and not as to what may be at any given moment the local laws of the United States, which laws cannot overreach treaty rights, it may not be amiss to point out that the system of interference complained of is apparently not in conformity even with the terms of the act of Congress under which the treasury instructions were issued; that that act authorizes the refusal of clearances to foreign vessels only when the Secretary of the Treasury shall have satisfactory reasons to believe that the goods or some part of them are intended for ports or places in possession or under control of insurgents against the United States, and authorizes bonds to be taken only to secure the delivery of the cargo at the destination for which it is cleared, and in order that no part thereof should be used in affording aid or comfort to any person or parties in insurrection against the authority of the United States.

Mr. Stuart then argues that if this latter condition is to be understood, as in reasonable construction it must, of any use preceding delivery at the specified destination, it may not be objectionable, but if meant to make the master and owner responsible for any subsequent use of the articles constituting the cargo after they have passed beyond their power of control, it is unreasonable and perfectly inadmissible. Mr. Stuart further remarks that, with respect to the apprehension of imminent danger that goods, &c., may fall into the possession or under the control of the insurgents, it may also be observed that the act of Congress appears to contain no provisions applicable to any exports by sea from the United States, the third section which relates to that subject being strictly confined to importations into any part of the United States, and to transportation upon any railroad, turnpike, or other road or other means of transportation within the United States. Therefore (Mr. Stuart remarks) it would appear that what has been done with respect to this point is not only contrary to the obligations of treaties and of international law, but also beyond the special and extraordinary enactments prepared by Congress itself. Mr. Stuart concludes that the President cannot expect that Great Britain should allow British trade with her own colonies, by way of the United States, or the trade between her own colonies and the United States, to be fettered by restrictions and conditions inconsistent with treaties between the United States and Great Britain, and repugnant to international law, and that therefore her Majesty's government expect that the President, in the exercise of his discretion, will prohibit the imposing of all such restrictions and conditions as have thus been complained of.

The undersigned regrets that Mr. Stuart, while so steadily insisting that the proceedings of which he complains are in contravention of international law, has not thought it important to favor the undersigned with references to the particular principles or maxims of that law which are thus assumed to be infringed. This omission is the more regretted because the examination of authorities made by the undersigned has failed in bringing those principles and maxims into view. Mr. Stuart has equally omitted to indicate the particular treaty obligations of the United States which he claims have been infringed. The undersigned, however, finds in the convention to regulate the commerce between the United States and his Britannic Majesty, which was concluded on the 3d day of July, 1815, and which was renewed by the convention of the 6th August, 1817, which, in the absence of reference by Mr. Stuart, are assumed to be those to which Mr. Stuart alludes. The first of these is in the words following:

Article 1. There shall be, between the territories of the United States of America and all the territories of his Britannic Majesty in Europe, a reciprocal liberty of commerce. The inhabitants of the two countries, respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all such places, ports, and rivers in the territories aforesaid to which other foreigners are permitted to come, to enter into the same, and to remain and reside in any part of said territories respectively; also to hire and occupy houses and warehouses for the purposes of their commerce, and, generally, the merchants and traders of each nation, respectively, shall enjoy the most complete protection and security for their commerce, but subject always to the laws and statutes of the two countries, respectively.

ARTICLE 2. No higher or other duty shall be imposed on the importation into the United States of any articles, the growth, produce, or manufacture of his Britannic Majesty's territories in Europe, and no higher or other duties shall be imposed on the importation into the territories of his Britannic Majesty in Europe of any articles, the growth, produce, or manufacture of the United States, than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other foreign country; nor shall any higher or other duties or charges be imposed in either of the two countries on the exportation of any articles to the United States, or to his Britannic Majesty's territories in Europe, respectively, than such as are payable on the exportation of the like articles to any foreign country. Nor shall any prohibition be imposed on the exportation or importation of any articles, the growth, produce, or manufacture of the United States, or of his Britannic Majesty's territories in Europe, to or from the said territories of his Britannic Majesty in Europe, or to or from the said United States, which shall not equally extend to all other nations.

By enactments of the legislatures of the two countries, the British colonies are brought within the effect of the stipulations in these conventions.

Having thus, as far as possible, established the standard by which the proceedings complained of are to be tried, the undersigned proceeds to examine those proceedings themselves.

On the 20th of May, 1862, the Congress of the United States enacted a law the first three sections of which are as follows:

"SECTION 1. That the Secretary of the Treasury, in addition to the powers conferred upon him by the act of the 13th of July, 1861, be, and he is hereby, authorized to refuse a clearance to any vessel or other vehicle, laden with goods, wares, or merchandise, destined for a foreign or domestic port, whenever he shall have satisfactory reasons to believe that such goods, wares, or merchandise, or any part thereof, whatever may be their ostensible destination, are intended for ports or places in possession or under control of insurgents against the United States; and if any vessel or other vehicle, for which a clearance or permit shall have been refused by the Secretary of the Treasury, or by his order as aforesaid, shall depart or attempt to depart for a foreign or domestic port without being duly cleared or permitted, such vessel or other vehicle, with her tackle, apparel, furniture, and cargo shall be forfeited to the United States.

"SEC. 2. That whenever a permit or clearance is granted for either a foreign or domestic port it shall be lawful for the collector, if he deem it necessary under the circumstances of the case, to require a bond to be executed by the master or the owner of the vessel in a penalty equal to the value of the cargo, and with sureties to the satisfaction of said collector that the said cargo shall be delivered at the destination for which it is cleared or permitted, and that no part thereof shall be used in affording aid or comfort to any person or parties in insurrection against the authority of the United States.

"SEC. 3. That the Secretary of the Treasury be, and he is hereby, further empowered to prohibit and prevent the transportation on any vessel, or upon any railroad, turnpike, or other road or means of transportation within the United States, of any goods, wares, or merchandise of whatever character, and whatever may be the ostensible destination of the same, in all cases where there shall be satisfactory reason to believe that such goods, wares, or merchandise are intended for any place in the possession or under the control of the insurgents against the United States, or that there is imminent danger that such goods, wares, or merchandise will fall into the possession or under the control of such insurgents; and he is further authorized, in all cases when he shall deem it expedient so to do, to require reasonable security to be given that the goods, wares, or merchandise shall not be transported to any place under the insurrectionary control, and shall not in any way be used to give aid or comfort to such insurgents; and he may establish all such general or special regulations as may be necessary or proper to carry into effect the purposes of this act; and if any goods, wares, or merchandise shall be transported in violation of this act, or of any regulation of the Secretary of the Treasury established in pursuance thereof, or if any attempt shall be made so to transport, then all goods, wares, and merchandise so transported or attempted to be transported shall be forfeited to the United States."

After considering the arguments of Mr. Stuart in the most careful manner, it is not apparent to the undersigned that they invalidate the act of Congress, the substance of which has been recited. By the law of nations every state is sovereign over its own citizens and strangers residing within its limits, its own productions and fabrics, and its own ports and waters, and its highways, and, generally, within all its proper territories. It has a right to maintain that sovereignty against sedition and insurrection by civil preventives, and penalties, and armed force, and it has a right to interdict and prohibit, within its own boundaries, exportation of its productions and fabrics, and the supplying of traitors, in arms against itself, with material and munitions, and any other form of aid and comfort. It has a right, within its own territories, to employ all the means necessary to make these prohibitions effective. It does not appear to the undersigned that the United States have surrendered this right by the convention between themselves and Great Britain which has been recited. It is true that, by the first article of the convention of 1815, British merchants have liberty fully and freely to come with their ships and cargoes into the ports, rivers, and places within the territories of the United States, and to be protected in their commerce there, but this right is expressly restricted to the ports, rivers, and places only into which other foreigners are permitted to enter, and in which they are permitted to reside and trade, and they are, moreover, expressly declared, while entering, residing, and trading in such ports, rivers, and places, to be subject to the laws and statutes of the two countries. So, by the third article of the convention of 1815, it is stipulated that prohibitions shall not be imposed on the exportation or importation of any articles the growth, produce, or manufacture of either country; this stipulation, however, is not absolute, but only a stipulation that any such prohibition shall extend equally to all other nations as well as Great Britain. The law of Congress seems to be free from the special objections which are raised by Mr. Stuart. It does not confine its prohibitions or its requirements to British vessels trading between New York and the Bahamas, but applies them to all vessels of all nations, including the United States, wherever trading, whether with the Bahamas or with any other part of the world. The prohibitions and requirements are not uncertain as to the authority which prescribes them or the form of the prescription, but they are declared and promulgated in solemn enactment by the Congress of the United States. The conditions on which the prohibitions and requirements are suspended are not left to capricious suspicions or beliefs, but they are dependent on satisfactory evidence of ascertainable facts. They involve no question of neutral rights, because no neutral has or can have a right more than any citizen of the United States to do an act within their exclusive jurisdiction which is prohibited by the statutes and laws of the country. The act has nothing to do with the blockade of the insurrectionary ports, because it confines its prohibitions and requirements to transactions occurring, and to persons residing or being within the ports actually possessed by the United States, and under their undisputed protection and control.

Having thus vindicated the act of Congress under which the proceedings of which Mr. Stuart has complained are supposed to have occurred, the undersigned will next examine the manner in which the act has been directed by the Secretary of the Treasury to be executed.

On the 14th of April, 1862, before the act of Congress was passed, it had been reported to the President that anthracite coal was being shipped from some of the ports of the United States to southern ports within and to other southern ports without the United States for the purpose of supplying fuel to piratical vessels which were engaged in depredating on the national commerce on the high seas. The Secretary of the Treasury, therefore, by authority of the President, who is charged with the supreme duty of maintaining and executing the laws, issued to the collectors of the customs at New York and other ports the following instruction:

"Clear no vessel with anthracite coal for foreign ports nor for home ports south of Delaware bay till otherwise instructed."

It was thereupon represented to the President that this order was unnecessarily stringent and severe upon general commerce, because it prohibited the exportation of coal to ports situated so far from the haunts and harbors of the pirates that the article would not bear the expense of transportation to such haunts and harbors, and thereupon the Secretary of the Treasury, by the President's authority, on the 18th of May issued a new instruction on the subject to the collectors of the customs, which was of the effect following:

"The instructions of the 14th ultimo, concerning the prohibition of the exportation of coals, are so far modified as to apply only to ports north of Cape St. Roque, on the eastern coast of South America, and west of the fifteenth degree of longitude east. Coal may be cleared to other foreign ports, as before, until further directed."

The subject of supplies of coal and other merchandise having, in the meantime, engaged the attention of Congress, with the result of the passage of the law before mentioned, the Secretary of the Treasury, on the 23d of May last, and as speedily as possible after the approval of the law, issued the following instruction to the collectors of the customs of the United States:

"Until further instructed you will regard as contraband of war the following articles, viz: Cannon, mortars, fire-arms, pistols, bombs, grenades, firelocks, flints, matches, powder, saltpetre, balls, bullets, pikes, swords, sulphur, helmets or boarding caps, sword belts, saddles and bridles, always excepting the quantity of the said articles which may be necessary for the defence of the ship and of those who compose the crew, cartridge bag material, percussion and other caps, clothing adapted for uniforms, rosin, sail cloth of all kinds, hemp and cordage material, ship lumber, tar and pitch, ardent spirits, military persons in the service of the enemy, despatches of the enemy, and articles of like character with those specially enumerated.

"You will also refuse clearances to all vessels which, whatever the ostensible destination, are believed by you, on satisfactory grounds, to be intended for ports or places in possession or under the control of insurgents against the United States, or that there is imminent danger that the goods, wares, or merchandise, of whatsoever description, will fall into the possession or under the control of such insurgents. And in all cases where, in your judgment, there is ground for apprehension that any goods, wares, or merchandise shipped at your port will be used in any way for the aid of the insurgents or the insurrection, you will require substantial security to be given that such goods, wares, or merchandise shall not in any way be used to give aid or comfort to such insurgents. You will be especially careful, upon applications for clearances, to require bonds with sufficient sureties for fulfilling faithfully all the conditions imposed by law or departmental regulations from shippers of the following articles to the ports opened, or to any other ports from which they may easily be and are probably intended to be reshipped in aid of the existing insurrection, namely: liquors of all kinds, coals, iron, lead, copper, tin, brass, telegraph instruments, wire, porous cups, platinum, sulphuric acid, zinc, and all other telegraph materials, marine engines, screw propellers, paddle-wheels, cylinders, cranks, shafts, boilers, tubes for boilers, fire bars, and every article whatever which is, can, or may become applicable for the manufacture of marine machinery or for the armor of vessels."

These are the treasury regulations under which the proceedings of the collector at New York, which are complained of by Mr. Stuart, are supposed to have taken place. It is not apparent to the undersigned that these regulations in any way transcend the authority conferred upon the Secretary of the Treasury and upon the collectors of the United States by the before-recited act of Congress. Nor is it apparent that they are more obnoxious than that act itself is to the objections which have been raised by Mr. Stuart. They do not expressly, nor by any implication, discriminate against Great Britain, her colonies or dependencies, and in favor of any other nation, or even in favor of the United States. They do not discriminate between British ports, British merchants, British vessels, or British merchandise, and the ports, merchants, and vessels of the United States, or those of any other nation. The instructions leave nothing to the caprice of the collector as a subordinate officer, but they are explicit commercial regulations, prescribed by the highest authority. The conditions on which prohibitions are to attach are to be ascertained upon satisfactory evidence, and for the collector's exercise of power in applying them he is responsible to the head of the department to which he belongs. The regulations have no connexion whatever with the blockade, but they affect only persons, vessels, merchandise, ports, waters, and highways, exclusively within the United States and within the territories which are in the absolute and unquestioned possession of the United States, and subject in fact as well as in law to their authority.

Fully admitting the principle for which Mr. Stuart so earnestly contends, that all proceedings and even regulations and laws of the United States, which affect foreign commerce, must not discriminate to the prejudice of Great Britain, the undersigned finds no adequate grounds for supposing that the principle is violated in these regulations. The instructions issued on the 14th of April and the 18th of May, prohibiting the exportation of coals to ports within geographical limits, which leave freedom of export to the other one-half of the world, may seem to furnish ground for exception. But the prohibition applies to all American and all foreign merchant vessels and cargoes as well as to those of Great Britain, and to all the States which are situated within the assigned limits, as well as to British dependencies situated therein. It is understood to be an accepted maxim that no law reaches in effect beyond the point where the reason of the law fails, especially if the law so extended should be productive of injuries without object and without compensation or benefit. There is not the least reason to suppose that the insurgents of the United States could in any way derive benefit from the exportation of anthracite coal to Archangel, or to Shanghai, or to Japan. Nor is it manifest that the British nation, its merchants and vessels, do not, in common with other nations, their merchants and vessels, derive benefits and advantages from the export permitted to all ports of whatever nation beyond the limits assigned by the Secretary of the Treasury. Nevertheless the President, desirous to remove all possible grounds for misconstruction, has directed that those instructions shall be rescinded, so that the case will stand altogether upon the act of Congress and the general instructions of the treasury, which have been recited.

In regard to the special proceedings of the collector of the customs at New York, which are complained of, the information presented to the undersigned is vague and uncertain. There is no satisfactory evidence in the papers under consideration that he has in any case made a clearance or exacted a bond which involved any infringement of the law of Congress and the regulations of the treasury. This government will cheerfully examine upon its merits any case of infringement which may be presented to it, and will promptly render the redress which shall be due, if the complaint shall be sustained; and it will further instruct all its collectors that, in performing their duties, they will be governed by not merely the letter but the spirit of the regulations of the treasury, and of the act of Congress, so as to make no injurious or invidious discrimination to the prejudice of Great Britain.

The undersigned avails himself of this opportunity to renew to Mr. Stuart the assurance of his high consideration.

WILLIAM H. SEWARD.

Hon. WILLIAM STUART, *&c., &c., &c.*

Mr. Stuart to Mr. Seward.

WASHINGTON, *October* 12, 1862.

The undersigned, her Britannic Majesty's chargé d'affaires, has the honor to transmit to the Secretary of State of the United States the accompanying copy of a despatch which he has received from her Majesty's principal secretary of state for foreign affairs, bearing reference to the note which the Secretary of State addressed to the undersigned, under date of the 18th of August last, in reply to representations on the subject of restrictions imposed on the trade in British vessels from the ports of the United States to the Bahamas.

The undersigned avails himself of this opportunity to renew to the Hon. William H. Seward the assurance of his high consideration.

W. STUART.

Earl Russell to Mr. Stuart.

No. 130.] FOREIGN OFFICE, *September* 22, 1862.

SIR: I have had under my consideration and have consulted the proper law advisers of the crown respecting your despatch No. 172, of the 20th ultimo, in which you enclose a copy of a note you had received from Mr. Seward in reply to the representations you had addressed to him on the subject of the restrictions imposed on the trade in British vessels from the ports of the United States to the Bahamas:

I have now to state to you that the gravity of the circumstances in this case is, in the opinion of her Majesty's government, rather increased than diminished by the grounds on which the proceedings of the New York custom-house are explained and sought to be justified in the letter from Mr. Collector Barney to Mr. Chase, of which a copy is enclosed in Mr. Seward's note, and which proceedings are, as it appears, approved and sanctioned by the government of the United States.

It is admitted in this letter that the prohibitions and restrictions in question are directed exclusively against the commerce of one particular British possession, namely, Nassau. It is therefore clear that, unless they can be justified by the law of nations, they violate the terms of the subsisting commercial treaties between the United States and this country, and furnish ground for international complaint.

The position assumed by the United States government is this, that it is entitled to prohibit, or place under restrictions equivalent to prohibition, the exportation from New York to Nassau of articles which are neither in their own nature contraband of war nor made contraband for the purpose of the present hostilities, by any general and public declaration of that government, with a view thereby to prevent British subjects, resident at Nassau, or making that colony a depot for purposes of commerce, from trading in those articles with the so-styled Confederate States. The inference that the articles, though having really and *bona fide* a British destination, are likely to be afterwards used for the purposes of the trade between Nassau and the so-styled Confederate States, is drawn, as explained by Collector Barney, from the magnitude of the consignments, from a comparison between the amount of the trade in similar articles carried on between New York and Nassau in former times and the amount during the present war, from the notorious existence of an extensive trade during the war between the so-styled Confederate States and Nassau, and from the known or reputed connexion of certain merchants or mercantile houses in England and at Nassau with that trade. The possibility or probability being thus arrived at that such a use may be made of some of these articles after their arrival at Nassau, it is concluded that the United States government are entitled to stop them at New York. From this conclusion her Majesty's government dissent.

The trade between Nassau and the so-styled Confederate States is subject to those limitations which the law of nations has established as legitimate as the trade between Great Britain and any other part of the world. Even if the government of the United States were in a condition to ask other nations to assume (which is very far indeed from being the case) that every port of the coasts of the so-styled Confederate States is effectively blockaded, British subjects at Nassau would still have a perfect right to sell goods to all such shippers, whether of the so-styled Confederate States or others, as might be able to resort to Nassau for the purpose of buying them there; and the dealers at Nassau, or their principals in Europe, in making such sales are not chargeable with any, the slightest, violation of neutrality. If contraband articles are shipped for any port of the so-styled Confederate States they are liable to seizure according to the law of nations; if articles not contraband are shipped for any blockaded place they also may be seized upon the high seas according to the law of nations. But the liability of the trade between Nassau and the so-styled Confederate States, or any part of it, to be intercepted upon the high seas by a maritime capture, according to the rules of international law, does not render the dealing in the articles which supply that trade, by British subjects within British jurisdiction, less lawful and innocent than if there were no such liability; much less does it justify a belligerent government in superadding to the known belligerent rights of blockade and of maritime capture an embargo within its own ports upon any part of the trade of a neutral nation with one of its colonial possessions, merely because this may possibly tend to cripple or embarrass another lawful trade between that country and the country of the other belligerent.

The doctrine of the United States on this subject has always been the same as that of Great Britain, namely, that neutral governments are under no obligation to stop a contraband trade between their subjects and a belligerent power, and that the only penalty of such a trade is the liability of contraband shipments to be captured on the high seas by the other belligerent.

The false assumptions which seem to pervade the views of the United States government with respect to Nassau are, that it is a violation of neutrality for a British colony to carry on any active trade with the so-styled Confederate States during the existence of the blockade, and that, in aid of the inefficiency of the blockading force, an embargo may lawfully be placed on a particular trade of British commerce at New York.

You will furnish Mr. Seward with a copy of this despatch.

I am, with great truth, &c., &c.,

RUSSELL.

Hon. WILLIAM STUART, *&c., &c., &c.*

FRANCE.

Mr. Dayton to Mr. Seward.

[Extract.]

No. 91.] Paris, *December* 6, 1861.

Sir: I felt it a duty to call on Mr. Thouvenel to-day, in reference to the views and position of France, as respects our unfortunate difficulty with England. I had understood that the French government had expressed its views to Lord Cowley, and thought, therefore, that it would have no objections to doing the same to me. Mr. Thouvenel said at once that the taking of Messrs. Slidell and Mason off a British ship was the affair of England, not theirs, but he had no hesitation in saying that it was the opinion of the French government that the act was a clear breach of international law; that the French government could not permit the application of such a principle to their ships. He added that all the foreign maritime powers with which he had conferred agreed that the act was a violation of public law. He said, furthermore, that he had at once communicated these views to Mr. Mercier. In view of what had been the past conduct of the British and French governments in our affairs, and their joint action in the affairs of other nations, I thought it best to ask bluntly whether, in the event of a war with England, we were to expect France to go beyond the expression of her opinion? Whether she would or would not be a neutral power? He said, of course, it was not their affair; they would be spectators only; though not indifferent spectators; the moral force of their opinions would be against us. I told him that had I known he had communicated his views through Mr. Mercier, I should not have troubled him with this interview.

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With much respect, I have the honor to be your obedient servant,

WM. L. DAYTON.

His Excellency Wm. H. Seward,
Secretary of State, &c., &c.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 95.] Paris, *December* 11, 1861.

Sir: I enclosed you by the despatch bag yesterday a copy of the "Constitutionnel," containing an article (*marked*) of a very obnoxious character.

That article, as you will observe if you have had time to look it over, advocates the policy of France making common cause with England against us. It looks likewise to the early recognition, by France and Great Britain, of the south as an independent power. The Constitutionnel is understood here to have a semi-official character. * * * * * *
I intended to have said this to you yesterday, but time failed me.

General Scott will have arrived in the United States doubtless before this despatch; will you say to him that I last evening received a note from Mr. Thouvenel, naming two o'clock to-day to receive him; at which hour I attended at the foreign office and returned his thanks, &c.

Mr. Thouvenel was quite disappointed at not seeing him, and said that the Emperor had promptly assented to give him a private interview. I explained at the same time that his departure for his own country had been sudden and unexpected. The general's letter, as I have heretofore said, has made here a good impression. The belief is that he is peacefully disposed, and I have no doubt that his sudden return to the United States will be considered as having been made in the hope of exercising a mollifying influence upon the temper and policy of his countrymen. It is well that it should be so.

I have the honor to be, with much respect, your obedient servant,

WILLIAM L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 94.]

Department of State,
Washington, December 26, 1861.

Sir: Your despatch of December 6 (No. 91) was duly received. In previous papers of this date I have already exhausted what is needful to be said on the several subjects discussed in it, except one, namely: that of the confidential note of Mr. Thouvenel to Mr. Mercier, read by him to me, and my reply thereto, read by you to Mr. Thouvenel.

Important events roll on so rapidly, each crowding the other so entirely out of view, that this government can see no reason to desire any further prosecution of the subject opened in those papers.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

[Extract.]

No 95.]

Department of State,
Washington, December 28, 1861.

Sir: * * * * * * * *

You have rightly conjectured that the subject of our relations with Great Britain, as affected by recent events, at present engages the chief attention of the government, so far as foreign affairs are concerned.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 100.]

DEPARTMENT OF STATE,
Washington, January 2, 1862.

SIR: In bringing up arrears of correspondence, it is a pleasant duty to acknowledge the receipt of your despatch, of the 25th of November, No. 86, and to express to you the President's satisfaction with your proceeding in regard to the reply to Mr. Thouvenel's confidential conversation.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 104.]

DEPARTMENT OF STATE,
Washington, January 23, 1862.

SIR: Your despatch of January 2 (No. 97) is before me.

Its subject is the condition of our affairs abroad. This foreign aspect must of course have somewhat changed when the action of this government in regard to the search and detention of the British steamer Trent became known in Europe. Recent military occurrences here will probably have some modifying influences there. Practically, the whole coast of the insurrectionary States is falling into the possession of the federal forces. The expedition under Burnside is in Albemarle sound, and we trust that it will produce some decisive results.

The government is co-operating with the Baltimore and Ohio Railroad Company in restoring this important communication between Baltimore and the Ohio, which will soon be effected.

But the great events of the day are, first, the determined vote of Congress to sustain the government by a tax of one hundred and fifty millions of dollars, which will be adequate to preserve the national finances during the vigorous prosecution of the war.

And secondly, the removal of the obstructions raised by the insurgents on the banks of the Cumberland river, to prevent the entrance of federal columns into eastern Tennessee. The victory of General Thomas at Mill Spring was a very gratifying affair; but its brilliancy is surpassed by its strategic importance. You will see at once that it opens the way to eastern Tennessee, and so to the cutting off of supplies and reinforcements for the insurgent army of the Potomac. You will not err in assuming that this great movement is one having no isolated purpose, but that it is a part in a general system which contemplates the bringing of all the federal forces promptly into activity, with a view to the complete restoration of the federal authority throughout the country. It is not in our power to control the policies of European cabinets. They acted precipitately in May last, and thus aggravated and prolonged our troubles. It is to be hoped that they will allow themselves now to understand the resources and the energies which have enabled us to recover from those injuries and to hem in the insurrection on all sides, so that it must be soon exhausted and defeated. The spirit of the nation, however, is sufficiently roused so as to enable us to meet and overcome all adverse designs, of whatever kind, from whatever quarter.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*, *&c.*, *&c.*

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 109.] PARIS, *January* 27, 1862.

SIR: Since my despatch of the 18th instant I have received yours, (No. 97,) and cannot but feel gratified that our views expressed in those despatches, crossing each other in their way, should have so nearly conformed. When I expressed the wish that permission to trade with certain ports of the south might be granted if it could be done without too great hazard to paramount interests, I had not ventured to hope that such wish would so soon find in effect a corresponding response from yourself. Your despatch came in good time. It is not to be denied that recently things here have had an unfavorable look for our interests. The effect of the blockade, the permanent destruction of the harbor at Charleston, the hopelessness of our cause, *all taken for granted*, and all impressed upon the public mind here by the English press, have had a damaging influence. Whether anything will be developed by the action of this government I know not; but it is not to be doubted that it has had under serious consideration the question of the blockade and of recognition. Your despatch afforded me an excuse for asking of Mr. Thouvenel a special interview. It was granted for Friday last, when I had with him a long conference, and, I think, made an impression on his mind in reference, at all events, to certain points.

I suggested to him, according to your directions, the propriety of calling the attention of the British government to the suggestion in your note to Mr. Mercier in reference to the better settlement of certain principles of maritime law. I assured him that the government of the United States would at all times be ready and willing to assent to any general arrangement which would have for its effect the permanent settlement of the rights of neutrals on a liberal basis. That we did not want the present occasion to pass without fixing upon Great Britain especially, in a definite form, certain principles for which France and the United States had always contended, but to which Great Britain had never yielded her assent. I reminded him that while *we* were not, at the present moment, in the most favorable position to move in such a matter, France could, under all the circumstances, with great propriety and power, take the initiative. That it seemed to me very desirable she should do so, and that something should be done before the question of the Trent should become mere matter of history; to take its place as a single precedent among others, and to be dealt with, canvassed, or avoided by the statesmen of that country as interest or inclination might prompt. Mr. Thouvenel thought that Great Britain could not now get back of this precedent, but said that France could do nothing alone; she must consult with other powers. He suggested a commission of jurisconsults, who should prepare and present for discussion certain questions, which should be submitted to a congress of ministers or ambassadors, something, I suppose, after the manner of the congress of Paris of 1856. This I inferred to be a suggestion only. It indicated, however, a willingness to act in the matter, if any available means could be found for doing so. In calling his attention, among other matters, to those questions affecting the interests of neutrals, I told him that, without having any distinct authority from my government for saying so, I had no doubt it would be happy to adopt the most liberal policy in reference to blockades, either to abolish them by the general assent of all nations, or modify them in such way as to make them, in the least possible degree, detrimental to the great interests of commerce. He at once asked if I intended to include in my remark the blockade that we had established of the ports of the south. This afforded me an opportunity, and I replied, in the language of your despatch, by telling him that this blockade was "a thing daily more and more falling within our power to modify, if not remove altogether." I reminded him that it was manifestly the interest of the United States having a great commercial marine (though not a large naval power) to remove all obstacles in the way of the most free commercial intercourse, and I ventured to assure him that our government was too wise and far-seeing to permit any transient matter to interfere with the attainment of a great end, or the adoption of a most liberal and enlightened commercial policy. This naturally brought up the question of the "stone fleet" and the supposed attempt at the *permanent* destruction of the port of Charleston. He said he wanted to hear what explanation I could give of that proceeding. He added that it had made a most unfavorable impression against us all over Europe. I told him that, without having any authority from my government, one of the principal objects of my visit was to correct erroneous impressions as to this matter. I reminded him then of the fact that the only information we had on this subject was through the newspapers; that the government had never, so far as I know, declared its intention permanently to destroy that port; that the temporary obstruction of one of its channels was, I believed, all that was sought. I told him that had not stones been placed in the old hulks sunk there, to keep them down, we might as well throw chips into the sea; the very next gale would have swept them from their position; that the bank on which they were placed was, I thought, some five or six miles from Charleston, in the ocean, not in the mouth or bed of the river, and that the depth there, at high water, was about eighteen feet, and at low water about eleven feet only; that much of the time, therefore, these old hulks were, to a great extent, above water, and that there would be no difficulty, as I supposed, in removing them at a future day, if it were desirable to do so. I showed him, likewise, an extract from the Charleston Mercury, which scouted at the idea of permanently closing the harbor in that way, and added that it had known a new ship or ships of a thousand tons burden, loaded with railroad iron, sunk in the middle of the channel and in a few weeks entirely gone or swept from their position. I further told him that if newspaper reports were to be relied upon, I believed the south had itself sunk vessels, not only in the interior of the harbor, but in the Savannah river, for the express purpose of keeping our ships out, and we had exercised only the same right as against them. After further conversation as to this matter, he said these explanations were most important, and asked if Mr. Adams had made them to Lord John Russell. I told him I knew nothing about that, though it might be he had not; that my suggestions were merely personal, volunteered; that you had given me no authority to make such explanations; that you never noticed officially, nor acted upon what appeared in the newspapers, and probably never contemplated that the French or British government would act upon information obtained from that source. He said that it seemed to him very important that the conduct of our government should be properly understood in this matter, and asked why it had not been explained through the French press. I told him that personally I was forbidden by my instructions from writing anything for the press, which he said was all right, but that it should have been done by others. I then told him that it would yet be done.

I took with me to the foreign office a skeleton map of the United States, and explained to Mr. Thouvenel, as well as I could, the position of our troops, and what I *supposed* to be the purpose or plan of the campaign. I told him I thought we were now nearly or quite ready to move, and wanted a *little* *time*;" that as yet *the* effort to suppress the insurrection had not been made; that having gotten on our armor, foreign governments must give us a chance at least to see what would come of it. In the course of the conversation upon the general question of settling the maritime law, I spoke of the propriety of France's bringing forward anew, as an independent proposition, the Marcy amendment in reference to the security of private property afloat, not contraband; the settlement more definitely as to what should be embraced under the term "contraband;" the modification of the law of blockades, or their removal altogether. I thought it well to say to him, however, that we would probably have in the future no further interest in these questions than other naval powers because, warned by what had now befallen us, I could not doubt that it would be the policy of our government to enlarge and strengthen its naval force; that we would probably be compelled, in the future, to assume, measurably, at least, a proper position among the naval powers of the world. This statement I knew could not but be agreeable to France; whether it would be equally so to England might be a question.

Our conversation lasted for nearly an hour and a half, though the above matters embrace, perhaps, the substance or more important parts of it. Mr. Thouvenel professed to be much interested in some of my explanations, and I think was really glad to hear what I said upon the subject of the blockade. It helped to relieve his mind from an impression that we were conducting the war in a ruthless, revengeful spirit. I only hope that I have not myself gone further in parts of the above conversation than the facts or purposes of the government will justify. But if so, I have committed nobody but myself, and it is not to be doubted that things had arrived at such a pass here that something must be done. An impression for some days before the above conference was almost universal among a certain class, both in England and here, that the Emperor would indicate a policy hostile to us in his speech of to-day, opening the legislative chamber, and many of our best friends feared it would be so. Indeed, I knew positively that he had recently been making particular inquiries for information on certain points referred to in the above conversation. This conversation was on Friday, and I knew there was to be a cabinet council, the Emperor presiding, on Saturday, at which, I thought, would be settled the character of the address he would deliver, and I felt it important, under the circumstances, to go as far as I rightly could upon the points hereinbefore stated. * * * * *

The opening of the Chamber to-day was a truly imposing scene. The speech of the Emperor is herewith enclosed. You will observe that the brief reference to our country is all that we could ask or expect. The friends of secession feel it as a bitter disappointment.

I shall be most happy to confer with Mr. Adams in respect to the matters referred to in your despatch. It will not, however, be convenient for *me*, I fear, to go again over to England for the purpose. Perhaps Mr. Adams might be induced to come over to Paris. If not, we may, by corespondence, * * * * * come to some general understanding upon the line of conduct it will be safest for the government at Washington to adopt, in the event of new complications here. If you shall succeed in taking possession of and holding the principal seaports, such as Charleston, Savannah, Mobile, and New Orleans, or even New Orleans and one other of those ports, I should consider the danger of *recognition* or a violation of the blockade as for the present passed. But if weeks more shall pass away, and spring shall open and nothing yet have been done, the impression will, I fear, have become fixed in the European mind that our efforts to suppress the insurrection are hopeless, and that the sooner the struggle is ended the better for ourselves and the world. A large class (combining, to a considerable extent, the aristocracy of all European countries) are bent upon seeing in the existing condition of things the destruction of our government and the permanent failure of our institutions. This class we can scarcely hope to conciliate. They have been against us from the beginning and will be to the end, whatever may be the result of our military operations. But there is another class, and a large one, who, without being at all the partisans of republicanism, are disposed to give us and our institutions a fair trial. They see what we have already accomplished for humanity, and feel that the great interests of the world will be best promoted by the ultimate success of our Union. It is among this class of men, thoughtful, intelligent, and progressive, that we have our warmest friends. But although friends, they are not partisans. They will support us only so long as there is evidence that the country and its institutions can support themselves.

I have the honor to be, with much respect, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c.

Mr. Dayton to Mr. Seward.

No. 110.] PARIS, *February* 3, 1862.

SIR: One of the serious complaints against our blockade of the southern ports, made by the French merchants, is the impossibility of communicating with their business correspondents in that country. They can get no letters to or from them, even though they be sent open. You are aware of the large trade which Bordeaux has at certain ports of the south. I am informed that a member of the Chamber of Deputies from that city brings a memorial to the Emperor, (signed by some three hundred firms,) asking him to despatch a vessel of war to our coast to carry open letters to their friends and correspondents in the several blockaded cities. It seems to me that a plan could be readily matured for the delivery of such open letters, through the department at Washington, to the commander of each blockading squadron, who could have them delivered without difficulty at the post office, or to other authorities of the port blockaded.

A public notice of this kind from your department, or from such other department as may to you seem proper, would, I think, be kindly received, and could not in any material degree affect the stringency of the blockade.

With much respect, I have the honor to be your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c.

Mr. Dayton to Mr. Seward.

No. 112.] PARIS, *February* 12, 1862.

SIR: There has, for the last few days, been a lull here in the excitement as to our affairs.

Indeed, since the disappointment experienced by the friends of secession at the late opening speech of the Emperor, they seem to have quite "*subsided.*" It is surprising how strongly they had been impressed with the conviction that a policy in their favor was to be foreshadowed by the Emperor, and followed by England. I am told by one, in the confidence of their representatives here and in England, that they had what *they* considered assurances from the most reliable sources that such would be the case. But the quiet of these men is temporary only. They have managed, and will manage, to keep up through the public press a constant excitement, deluding others, and being, I verily believe, to a certain extent, deluded themselves. One hope is not extinguished before another is started.

The inefficiency of the blockade, as illustrated by the alleged passage in and out of four hundred vessels, or five hundred, as Mr. Mason says, will doubtless be strongly pressed in the British Parliament, and perhaps in the French Chambers.

Could we but get the names of those vessels, and their ports of entrance and departure, it would without doubt appear that they were generally mere fishing smacks, or small coasting vessels, against which no blockade ever did or could provide; and that the entrance and departure even of these were generally by some inlet, by-way, or side channel, not open at all to regular sea-going ships.

If blockades are to be maintained at all, neither England nor France, being large naval powers, can afford, I think, to make their efficiency depend on the evasion of the blockade by such craft. It would be equivalent to their abolition altogether. The rule laid down in the declaration of Paris of 1856 certainly never contemplated that an occasional success, even by a sea-going vessel, in evading a blockade by the aid of a storm or a dark night, or some other casualty, should be sufficient in law to destroy its efficiency. The true rule undoubtedly is that which was given by his excellency M. Rouher, the French minister of agriculture, commerce, and public works, in September last, (enclosed by me to you,) which holds, if I recollect rightly, a blockade to be effective if it exposes those who shall attempt an approach to the port to certain danger. No government desirous of sustaining the right of blockade, as England probably is, can, I think, venture to lay down the rule of law as exacting more than this; and up to that point you must certainly have evidence to show you have kept the existing blockade.

Unfortunately, however, this is a question of fact, and a willing power may determine it according to inclination, pretending all the while that she is keeping herself strictly within the rule of international law.

But it is no part of either my purpose or duty to write you loose opinions upon what the law is or ought to be.

The Emperor, last night, in a brief conversation held with him while at a private ball at the Tuilleries, again expressed his earnest wish that our domestic strife was brought to a close. When I told him that I had sanguine hopes of success at no distant day, he asked me specially about the condition of the roads, and the possibility of turning aside from them into the open country. He referred to the great difficulty of moving wagons, cannon, and the immense *materiel* essential to a great army over a single road, especially in a wooded country, illustrating it forcibly, as he did, by his own troubles and perplexities in his Italian campaign.

The papers I see deny that you are sinking more "stone ships" in the channel at Charleston. I rather regret this, if true. It was one of those matters on which the public mind here was much against us, and, to a certain extent, is yet so, because, perhaps, its purpose was and is misunderstood.

I explained this in despatch 109, and stated the responsibility I had assumed in repudiating, on the part of our government, any intent permanently to destroy that harbor. The very next steamer following that conversation brought out the despatch from Lord Lyons to his government, which contained your own explanation to him, and, much to my gratification, confirmed substantially what I had said on this point to Mr. Thouvenel.

So, too, in a late despatch, February 3, I suggested the propriety of maturing some plan for the delivery of letters in the southern country, and within a few days only after that despatch was sent, I learned through the newspapers that you were already engaged in maturing a plan for that purpose. We seem, to a great extent, to have anticipated each other's suggestions, which is some evidence at least of their propriety.

I am, sir, with much respect, your obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 114.]

Department of State,
Washington, February 19, 1862.

Sir: The lateness of the hour in which your despatch of January 27 (No. 109) was received rendered a reply by the returning mail impossible.

I am glad that you have had so long and free a conversation with Mr. Thouvenel. Your report of it suggests the points to be noticed in this despatch:

First. The subject of maritime law in regard to neutrals as affected by the present state of affairs in our country.

Second. The obstructions placed in Charleston harbor.

Third. Our present blockade.

Fourth. The progress and end of our military operations.

I begin by saying that, in my view, the whole difficulty which prevents correct views being taken on these subjects arises from one cause, namely: the fact that the European states have been from the first impatient of a civil war in America, and have thought that it could soonest be ended by pursuing a policy practically discouraging to this government. This is a mistake, against which we attempted to caution foreign powers in the beginning earnestly, though respectfully. I have only to say upon that point now, that revolutions, especially those instituted on a large scale, and disturbing a government that extends over regions of vast extent, will not accommodate themselves to either the interested desires or the benevolent wishes of those who may be incidentally disturbed by them. Of all human transactions a civil war is that one which most requires to be treated practically, dispassionately, and with patience.

First. The subject of maritime law in regard to neutrals as affected by the present state of affairs in our country.

We remonstrated with the European states against recognizing the insurgents here as a belligerent power, on the ground that it was unnecessary, and would injuriously prolong the civil war. Our remonstrances were disregarded. Let European statesmen now take a retrospection of ten months of war, and say whether we were then in error. The Sumter and the Nashville, outlaws in America, are found disturbing the peace of Europe by piratical depredations on our commerce—the second commerce of the world—within sight of European ports. This is the extent of the naval strength of the new belligerent. What have not the European states lost by the terror struck into our commerce? Is it nothing that because of that unnecessary recognition our accession to the treaty of Paris, tendered by an administration favorable to neutral rights, has been rejected? Look at the insurrection now breaking down before the mere array of national strength which meets it on every side, and say whether the same result would not have happened three months ago but for the hopes of recognition infused into the insurgents by their recognition as belligerents.

The Trent affair, all the world sees, was an accident for which not the least responsibility rests upon this government. For a time our national pride and passion appealed to us to abandon an ancient liberal policy; but, even though unadvised, we did not listen to it, and we are to-day, after that occurrence, as ready and as willing to join other maritime powers in meliorations of the law, to the extent that France desires, as we were before it happened, and before the civil war commenced. Forced into a belligerent attitude, and treated as such by neutral powers, we, of course, while these hostilities last, must claim for ourselves the rigors which other maritime powers agree to apply to us when we are neutrals. But even to-day, in the midst of this strife, if the other powers, including Great Britain, should agree to abolish naval blockades altogether and forever, and to exempt private property from confiscation in maritime war, we are prepared to consider the propositions. But we can make no proposition except as a whole nation. France and Great Britain, having declared the insurgents a belligerent, are not prepared to treat with us as more than a part of a nation. Is it not clear that the sooner they reconsider that unnecessary step, so prematurely taken, the better it will be for all parties concerned? I send you a copy of my rejoinder to Earl Russell on the Trent affair, which will show you more at large our views on this point.

Secondly. The artificial obstructions placed in the channels to the harbor of Charleston.

Hitherto such obstructions have been regarded as an ordinary military appliance of war. No American ever conceived that the human hand could place obstructions in a river which the same hand could not remove. No loyal American citizen has regarded this war as one that can have any other than a brief duration, with a termination favorable to the Union, casting upon the federal government the responsibility of improving the harbors of all the States. We were, therefore, surprised, and even incredulous, when we saw that the placing of obstructions in the channels leading to Charleston was, in Europe, regarded as an act of peculiar and ruthless severity. I observe that my explanations to this effect, made to Lord Lyons, are already published in the European journals. Since they were given I have ascertained that there yet remain two of the natural channels leading to Charleston harbor in which no obstructions have been placed or intended to be placed. In making these explanations, I must not be understood as conceding to foreign states a right to demand them.

Third. The present blockade.

It is a legitimate war measure intended to exhaust the insurrection. As I have already intimated, we are willing to conform to the law of nations as it is, or to consent to modifications of it, upon sufficient guarantees that what we concede to other nations shall be equally conceded by them. It is not the blockade that distresses European commerce. It is the insurrection that renders the blockade necessary. Let the European powers discourage the insurrection, it will perish. The blockade has not been unreasonably protracted. The whole coast of the blockaded ports is now falling rapidly into our hands. From the north line of Virginia to and including the Savannah river we, not the insurgents, have military occupation of the roadsteads and harbors. Before a month shall have elapsed we shall be in occupation of all the rest. When this shall have been done, we shall also have pressed the insurgents so closely inland that the insurrection will be practically without support. We shall, of course, be able safely to raise or modify the blockade as soon as we resume possession of the ports, and shall desire to do so. If our expectations shall prove too sanguine, we shall then consider how to favor commerce without danger to the national cause.

Fourthly. The prosecution and end of the civil war.

It has seemed slow and discouraging only because all parties accustomed to peace at home and abroad, and more or less dependent on American productions, commerce and consumption, demanded that it should be brought to an end without allowing time and preparation. The time, however, has been gained, and the preparation has been made, and its satisfactory results are already known to the world. Let the European states acknowledge these results, and concede now to the Union half as much toleration as they have practically, though unintentionally, shown to disunion, and the civil war will come to an end at once. The insurgents would be without means, without credit, and without power. Loyalty would resume sway in the insurrectionary States in place of treason, and the peace of the world would be restored. These reflections appear to me to be worthy the consideration of France. It seems to us, indeed, that France would consult her own true political interest by considering them; for government in France can stand on no other foundation than the democratic principle, while that principle must be surrendered as hopeless throughout the world if it be allowed to fail on this continent. The material interest of France counsels the consideration of these suggestions. For France will be prosperous only when the United States are united and at peace, and therefore also prosperous. I am aware that I have presented in this paper some facts and some thoughts contained in previous despatches, but I have thought it not unprofitable to bring the discussion of the subjects involved into a form in which it may be submitted to Mr. Thouvenel. You will show him this paper, and give him a copy if he shall desire it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

[Extract.]

No. 117.] Paris, *February* 21, 1862.

Sir: A copy of your confidential despatch to Mr. Adams, No. 177, was received yesterday.

I sincerely hope that the expectations therein referred to may be realized. It so happens that the night before your despatch was received I had ventured, on my own responsibility, to assure the Emperor that bad roads only had prevented an advance of our army in the west. He understands that difficulty perfectly, as you will have learned from one of my late despatches.

It may not be amiss to state to you that I have been informed that Mr. Rost, one of the southern commissioners, went recently to Spain, and is now there, I presume. I simply telegraphed the fact to Mr. Perry, chargé, &c. Mr. Slidell, the other commissioner, with his family, is here, though I have not seen them.

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I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 120.] Paris, *February* 27, 1862.

Sir: Your despatch No. 109 encloses a copy of Mr. Thouvenel's note to you of the 19th of January, 1862, and your reply of the 7th of February, 1862.

Both of these papers are in the best tone and spirit, and I confess I feel now and have felt (since the address of the Emperor in opening the Chambers) in the best hopes and spirits for the future. A speech just delivered in the French senate by M. Billault, minister without portfolio, and herewith inclosed, is most satisfactory as respects American affairs. These ministers, it is said, represent the Emperor on the floor, and are understood to express his views and the views of the government. This speech, I am informed, is universally regarded as closing, for the present, all hopes on the part of the secessionists of France's interfering to break the blockade. M. Billault, you will recollect, was, last summer, minister of foreign affairs *ad interim.* I think I can see from the British press how this thing has worked itself out. England and France have been coquetting a little with each other on this question. We have had what seemed to be the most reliable assurances from England that the Emperor was urging them to interfere. In the meantime, the British press was urging France to interfere; it was giving out that the blockade was a paper blockade, and the south should be recognized; thus working France and themselves up to the point of, at least, a joint interference. Then came the Emperor's address; it was not what they expected. They said that just before its delivery "the switch had been turned off," and forthwith the London Times and other portions of the English press ran off along with it. Now, all hands seem opposed to interference. How long this will last no human power can tell. If, in the midst of our successes at home and abroad, some reasonable hope could be given of opening two or three cotton ports, it would greatly mollify the feelings of that class of persons abroad who constantly agitate these questions against us. And I cannot help thinking that (excluding things contraband) the trade would not seriously affect our interests.

I am, sir, with much respect, your obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c., &c.

Speech of M. Billault.

M. Billault, (minister without portfolio.) The government is anxious to clearly make known its sentiments on another point mooted by the Marquis de Boissy. When on the other side of the channel a member of the English chambers, not sharing in the feelings of his neighbors and of his colleagues, makes by chance a violent motion against our country, French feelings suffer from it, and it is not without emotion that the echo of such a discussion is heard on this side of the Strait. The reason is, that the two great nations are proud and susceptible on what touches their honor. Expressions of hatred exchanged from one tribune to the other are most objectionable. How can any one endeavor to revive feelings of hatred when the Emperor's policy is based on conciliation? The government, without forgetting the reminiscences and lessons of the past, and instead of allowing itself to be led away by savage rancor, has adopted a conciliatory and pacific policy, under the shelter of which it can proceed in the path of ameliorations which constitute the progress of the world. (Hear, hear.) Instead of recalling the memory of Waterloo, in order to revive hatred, it is wiser to think of Italy wrested from the yoke of Austria, of Savoy again become French, of Belgium and of Holland separated and constituted in a state of neutrality. It would also be much more desirable to admit that with the alliance of a great country important results might be hoped for. A good accord between the cabinets cannot but be advantageous. The Emperor does not fear the revival of old reminiscences, because they are not applicable to him, but the expressions which the senate has heard are not of the present age, nor are they good policy. The two great states may differ on certain points, and may not completely pursue the same object. All nations have not the same wants and the same instincts. Some require a large amount of material profits and advantages, while others desire more grandeur and more glory. We went into the extreme east, and shed the blood of France to there represent the spirit of religion, and plant that cross which is the symbol both of the empire and of civilization. Why, however, should the two powers be reproached for the qualities peculiar to them—qualities which impel England to seek elements for her commerce, and France for her glory? (Approbation.) As to America, France will never forget the bonds of kindness which unite her to the United States. History points out to her that war with them is impossible, but that does not prevent her from being pained at seeing the children of the same people destroying each other and their common country. The government has recommended and practiced neutrality. It would not allow events to compromise the principles which it defended and made prevail in 1856 in the congress of Paris, but it feels the strongest friendship towards the United States, and cannot comprehend how any one could wish to impel it to a combination which would have for object to force an entrance into the southern ports in order to load cotton. On the part of France such conduct would be madness, and England, whose interests are more deeply engaged in the question, and is now on good terms with the United States, would not venture on a line of policy which is not that of France, and to which the Emperor would not lend himself. (Approbation.)

Mr. Seward to Mr. Dayton.

No. 118.]

Department of State,
Washington, February 27, 1862.

Sir: Your despatch of February 3 (No. 110) has been received.

It suggests the expediency of our permitting the passage of letters purely commercial, and not tending to the violation of the blockade, between French merchants and their correspondents in New Orleans.

Mr. Mercier had, as you have recently been informed, already submitted Mr. Thouvenel's wishes to me. We have felt a strong desire, if possible, to accede to this proposition. But it would be attended by many and great embarrassments. Equal privileges must be given to all other foreign merchants, and, of course, to our own merchants. The privilege must be extended, of course, beyond New Orleans, to all other marts in the insurrectionary region. It would be very difficult to perfect details for such a proceeding. These considerations have not been regarded as conclusive against it, but they have been sufficient to induce hesitation upon it until we see whether, indeed, the complaint cannot be removed in another and better way.

You see our army and our fleet at Cairo; you see that another army and another fleet are behind Columbus, which alone is relied upon to close the Mississippi against us on the north. Though you may not see it, another army and another fleet are actually on the way, by sea, to New Orleans. I have submitted these matters to Mr. Mercier, with an intimation of our expectations soon to be in occupation of New Orleans. I have said to him that we will revert to the subject if our operations shall prove unsuccessful or be unreasonably dilatory. He has probably submitted these facts to Mr. Thouvenel. It will do, however, no harm for you to communicate them to him.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 123.]

Department of State,
Washington, March 8, 1862.

Sir: Your despatch of February 12 (No. 112) has been received. Surely all Europe ought to unite with us in establishing a telegraphic oceanic communication.

You very ably discuss the question of what is an effective blockade, while you suggest to me the desirableness of evidence to prove the efficiency of the one we have established.

We cannot know how many and what vessels succeed in running the blockade, and without this information statistics of the vessels prevented from doing so would be almost valueless. But the true test of the efficiency of the blockade will be found in its results. Cotton commands a price in Manchester, and in Rouen, and Lowell, four times greater than in New Orleans; salt, a price ten times higher in Charleston than in Liverpool. Gold is worth fifty per cent. more in Richmond than in New York. Notwithstanding the great outlay of the insurgents in Europe for arms, equipments, and clothing, in addition to their own boasted manufactures, the prisoners we take are wretchedly armed and clothed. Passengers from the insurgent States only escape into neutral States across overland barriers. Judged by this test of results, I am satisfied that there was never a more effective blockade. We are nevertheless very desirous to relieve the commerce of the world from our blockade, and to restore it to its natural and customary freedom. What do we wait for before doing this, but that the insurrection shall cease? What keeps the insurrection alive? Nothing, in my judgment, but the treatment of the insurgents as lawful belligerents by the maritime powers, utterly powerless as the former are to do any injury to foreign states. Their treatment as belligerents, while they are surrounded and hemmed within a small portion of the United States by the Union armies and navies, is believed to be without precedent as it is without necessity. Beside the commercial embarrassments which result from it, the United States are kept in continual and often unpleasant and anxious debate with maritime powers whose sympathies cannot but be with them, because their interests are identical with those of our own country.

You will have noticed our successful advance down the Mississippi and along its banks. Next week we shall ascertain the strength of the obstructions at Memphis. After passing that port the river will be entirely open to us to New Orleans. I suppose I hazard nothing of publicity here by informing you that General Butler, with an adequate land force, and Captain Porter, with a fleet, are already in motion to seize and hold New Orleans. The armies on the Potomac are also expected to try conclusions soon.

You will, I am sure, need no instructions to use this information in the way best calculated to free our unhappy domestic strife from its European elements of mischief. When that shall be done, all will be well.

While drawing this despatch to its close I learn that the insurgents have withdrawn from their front on the Potomac, above and below this city, and are breaking up their camps and retreating before our army towards Richmond. Thus ends the siege of Washington, and thus advances the cause of the Union.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq , *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

No. 127.] Paris, *March* 18, 1862.

Sir: The receipt of your despatches No. 111 to 117, both inclusive, is hereby acknowledged.

No. 112 enclosed the copy of a despatch (No. 186) addressed to Mr. Adams, and the copy of a telegram, then just received, as to the capture of Fort Donelson. No. 113 enclosed a copy of a communication to your department from the consul-general of the United States at Havana, relative to the vessels which have run the blockade to or from the ports of Cuba. No. 117 enclosed the commissions of Joseph Vandor and Josiah Thomas, appointed consuls, respectively, at Tahiti and Algiers. Application was at once made for their several exequaturs. I received at the same time (March 13) a package from the French legation at Washington, enclosed for Mr. Thouvenel, which was immediately delivered. Your despatch No 114 is in answer to mine of January 27 (No. 109) and I am happy to find that the general views presented by me to Mr. Thouvenel, in the conference reported in that despatch, conformed so nearly to the views and purposes of the government stated by you.

I had, yesterday, another conversation with Mr. Thouvenel on the same general subject. I stated to him the contents of your despatch No. 114, and left with him a copy, which he said he would read and consider with care. I left with him, likewise, a copy of the communication addressed by you to Lord Lyons. He asked again most anxiously when they should have cotton. I referred him to your despatch, and assured him (as I have heretofore informed you that I had assured the Emperor) of our earnest desire to afford the earliest facilities to foreign governments for the procurement of it. He said that petitions and memorials were being daily addressed to the Emperor on this subject; that the suffering and destitution in certain portions of France for want of it were constantly on the increase. Do not delay action, I beg of you, a day beyond the time that you can act on this subject with propriety. He spoke, likewise, of the importance of allowing certain facilities for the transportation of letters to the south, to which subject I have heretofore referred. He thought that open letters might be permitted to be sent through the several consuls of foreign powers, charged by their governments with seeing that nothing but mere mercantile letters should be sent. This privilege could certainly be granted without much detriment, although it might possibly be some. I sincerely hope that something will be done upon this subject. The objection to sending such letters through sources of our own would seem to be that it would involve a new system, give rise to complications, and charge the government with a great deal of trouble. I told him that I had recently seen it stated in an American newspaper that you were maturing a plan for this purpose, and I thought it would soon be carried into effect.

I assured him that unless all our hopes failed, this insurrection was drawing to its close. He said Mr. Mercier likewise had so written to them. I may add here that within the last few days a very considerable number of arrests (at least seventy) have been made in Paris, of persons charged with revolutionary designs and purposes. They are generally young men who have been *agitating* for revolution, in secret societies and otherwise. Large numbers of the population of Paris, especially in the Faubourg St. Antoine, are out of employment, and of course up for mischief. Though little is publicly said, I can readily understand that the government is kept on the "*qui vive.*" But this agitation will amount to nothing: the Emperor is firmly seated, and unless some very unexpected event shall arise, his power, so long as he lives, is as secure as that of any monarch in Europe.

I am, sir, your obedient servant,

WILLIAM L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 128.] PARIS, *March* 19, 1862.

SIR: I omitted in my despatch of yesterday to say, that in my conference with Mr. Thouvenel, therein referred to, I again briefly called his attention to the suggestion in your note to Mr. Mercier in relation to certain ameliorations in the international code of maritime law. He said he did not think that much could be accomplished at present in that way by direct negotiation with foreign powers, (meaning, I suppose, Great Britain,) but that the public mind must first be properly impressed. He called my attention to the fact of the issue of the pamphlet by Monsieur de Hautefeuille on the subject, which I enclosed to you; likewise to the recent debate in the British Parliament.

This debate, by the way, is calculated in the end to impress itself strongly upon the mind, more especially, of the shipping interests of Great Britain. It has brought out prominently the effect of the Paris convention of 1856 upon British interests. The adoption by that government of the principle that the neutral flag protects the goods of a belligerent, goes far towards a recognition, practically, of the principle that private property afloat (not contraband) is safe; for it follows almost as a consequence of the adoption of the principle that private property, in time of war, will only be put afloat in neutral bottoms. In other words, the commerce of England and France, in case of a war between those powers, would be carried on in safety through the agency of the ships of the United States and of other neutrals, while their own ships would be left to rot at their wharves It is true, the same result, under like circumstances, would come to us; but our separation from the European powers, and, as a consequence, the fewer chances of war with maritime nations to which we are subject, makes the contingency more remote. It would certainly be to advance only one step further in this ameliorating process to make private property safe in *any* ship; and the interests of England would seem to justify this advance, if it does not require it. Her immense commercial marine would then be kept afloat in time of war. If the principle would deprive her of the power of crippling an adversary to so great an extent as heretofore, an advantage more than equivalent would arise in the increased protection it would give to her shipping and to her commerce. It would be but to sacrifice a war power to a greater and better—a peace power. To this she will, I believe, come at last; or, if not, in time of war, she will violate the principle she has adopted—that the flag covers the cargo. She cannot, as it seems to me, stand for many years in the anomalous position she now occupies.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 129.] PARIS, *March* 25, 1862.

SIR: Your despatches Nos. 118, 119, and 120 were received by me on the 21st instant, and yet the contents of 118 and 120 have not, up to this date, been communicated to Mr. Thouvenel. This is owing to the fact that I received notice, on Sunday last, that he would not receive me until Friday next, and I did not feel that the despatches were of a nature to justify a call for a special interview.

In the meantime the Emperor, without application on my part, by a note from his chamberlain, signified to me that he would receive me to-day at 2 p. m. Of course I availed myself of the opportunity, and have just returned from this personal interview. I was most kindly received, and he said at once that he had wished to have a talk with me about cotton, and the prospect of opening our ports. He spoke again of the great inconvenience connected with the existing condition of things, and feared it would not speedily come to an end; that the war might yet be a long one. He referred, too, to the probability of the south's destroying its cotton, &c. These, of course, are old matters, and I refer to them only as coming now directly from his Majesty. In reply, I thanked him for the opportunity of a direct personal conference, and assured him again of the confidence of our government in the early suppression of the insurrection. As to the burning of the cotton I told him that it might be, and doubtless would be, done, to a limited extent, but that little confidence was to be placed, in my judgment, upon the blustering resolutions and loud talk of southern people upon this subject; that I did not doubt, if we got possession of the country, enough of cotton would remain to supply the present European want. I then read to him your despatches 118 and 120. He was aware that an army and fleet were on their way by sea to New Orleans, and asked, if we took that city, whether I thought they would then get a supply of cotton. I told him I had little doubt of it; that you had always represented that when we took possession of the country in which the ports were located the blockade would be removed, I thought that cotton, to a considerable extent, would come forward. I then called his attention particularly to the suggestion in the latter part of your confidential despatch No. 120. I told him we honestly believed that if a proclamation by France and England withdrawing belligerent rights from the insurrectionists should be made, the insurrection would collapse at once; that it was the moral support only which that concession had given them that had sustained them so far; that they had always looked to it as a first step towards their final recognition as an independent power. If the concession were withdrawn, I believed, as an equivalent, the blockade would be raised at an early day. He said the concession of belligerent rights was made upon an understanding with England; that some legal questions were involved in it originally, and that he would have to speak to Mr. Thouvenel about them. I called his attention to the fact that the confederate flag had been scarcely, if at all, seen in a port of France; that they had almost no commerce upon the ocean and scarcely the pretence of a navy; that the two vessels, (Nashville and Sumter,) which had alone been in European waters, had demeaned themselves as pirates rather than as ships-of-war; that a withdrawal of belligerent rights would, under these circumstances, take from the south no material advantage; it would only deprive them of the countenance and moral support of other nations. The Emperor replied that he must frankly say, when the insurrection broke out and this concession of belligerent rights was made, he did not suppose the north would succeed; that it was the general belief of statesmen in Europe that the two sections would never come together again. This belief, he intimated, was a principal reason why this concession of belligerent rights was then granted. He said now it was a large country, and for that reason difficult to subdue. I told him (as I had before told Mr. Thouvenel, in answer to the same objection) that we did not need to seize hold of a man's entire body to control him; that if we grasped firmly any sensitive extremities it was enough; that he had controlled Russia for the time being by taking possession of Sebastopol. I then called his attention to the few ports in the south, and the effect of seizing and holding them—excluding from the outer world the people of the interior, whose entire surplus industry was devoted to raising articles for export. This advantage, in connexion with the fact of the unquestionable existence of a large Union element in parts of the south, would, I thought, bring them into the Union again. Without expressing any opinion upon these matters, he said he would think of them, but hoped in the meantime that something would be done by us to relieve the difficulties here growing out of the want of cotton. I have heretofore expressed my earnest and perhaps somewhat urgent wish that this hope may be realized.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

[Extract.]

No. 130.] PARIS, *March* 26, 1862.

SIR: I cannot forbear to congratulate the President and the administration upon its wise and opportune action in reference to the aid to be given to States in the emancipation of their slaves. The recommendation (supported as it was by the prompt action of the House of Representatives) has made a most favorable impression in Europe. It is almost universally looked upon as the "beginning of the end," and that is much, although the end may be distant. The Emperor, yesterday, in the private conference to which my last despatch refers, spoke of the matter, and I thought had been favorably impressed by it. That portion of the English press which has been so pertinaciously opposed to the north is trying to destroy the favorable effect of this action of the federal government upon the public mind of Europe, by commenting upon it as impracticable and futile under existing circumstances; but the great fact of the recommendation and the prompt action of Congress upon it remains. That it will influence favorably in our behalf the minds of the Christian world is not to be doubted.

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I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 133.]

DEPARTMENT OF STATE,
Washington, March 26, 1862.

SIR: Your despatch of March 4 (No. 124) is received. It brings a casual conversation with which you were favored by his Majesty the Emperor. While it was unquestionably proper that the President should be informed of the conversation, it will be for Mr. Thouvenel to decide whether he will entertain my comments upon it.

It is a pleasure to say that the remarks of his Majesty on that occasion, like the other communications which he has personally made to you, are manifestly sincere, grave, and earnest.

The substance of those remarks is, that he is very solicitous for an early termination of our domestic difficulties, because they are producing effects very injurious to the prosperity, and even calculated to disturb the tranquillity, of the French empire.

We have not been inattentive observers of recent occurrences in France, and thus we have become aware of the distress which prevails in many of the districts of that country, and of the popular movements which it has produced. While his Majesty would probably admit that other circumstances have combined with our unhappy civil strife in producing that distress, I am not at all disposed to deny that a large share of it is justly attributable to the latter cause. I can also very easily understand how naturally those classes of the French population which are most immediately affected trace all their troubles to that cause alone.

In behalf of the President, I can say, with the utmost frankness and sincerity, that he has not indulged a sentiment or a feeling during all our troubles that was not earnestly generous and friendly towards all foreign states, and especially so towards the government and the people of France. Indeed, it could not have been otherwise; for we have learned by painful and anxious experience that the first interests of every state are security and peace. Moreover, although the policy of France during our trials has not always been such as in the great straits through which we have passed we could entirely approve, yet, on reviewing the events of the year, I am able to admit that that policy was not unnaturally regarded by the Emperor as necessary under the aspect which our affairs assumed abroad. I can recall not one instance of disingenuousness or unkindness towards us in the intercourse which has taken place during that period between the two countries. Moreover, revolutions are epidemical; and, although we deem our own country to be now on the return to a condition of order and repose, we are not sure that new distractions would not befall us if revolutions should break out in Western Europe. The United States are thus bound to desire the peace of all other nations. The Emperor may, therefore, rest assured that this government is not merely not indifferent to the wishes he expresses, but is desirous so to direct its proceedings as to meet and gratify them.

His Majesty mentioned to you two subjects of anxiety: the first, whether we shall be able speedily to open cotton ports; the other, whether, even if such ports shall be so opened, cotton will come. It is hazardous, as his Majesty well knows, to speculate on the probable course of military operations. In regard to this strife, I have been sanguine of only one, and that the cardinal point, namely: that the national forces would prevail, and the Union be thus maintained. But how, and when, and where the intervening victories would be won, and the unavoidable disasters and disappointments would occur, I have not undertaken to predict, because such knowledge is never vouchsafed to rulers or to statesmen. Perhaps before this paper shall have reached you, possibly even before it shall have left this place, there may be reverses here which will essentially modify the favorable expectations which, in common with all our countrymen, we are now indulging with a high degree of confidence.

These expectations, however, I give you for the information of the government of France. We have already, with a strong hand, recovered the control of nearly all of the coast of the insurrectionary States, and we have recaptured four of the great ports which were wrested from us by the insurgents, or betrayed into their hands before the government assumed its attitude of self-defence. While doing this we have effected a release of all our land and naval forces from the sieges in which they were held by the rebels. All these forces are, as is supposed, safely acting aggressively. Our means are ample, our forces numerous, our credit sound, and our spirit buoyant and brave. The reverse of all this is the true condition of the insurgents. They are reduced from aggression to defence. Distracted between many exposed points, they have consumed most of their resources; their credit is nearly prostrate; their forces, always exaggerated, are now very feeble; and they are considering, not so much how they shall carry on the war they so recklessly began, as how they shall meet and endure the calamities it is bringing upon them. It is under these circumstances that our army of the Potomac, under General McClellan, to-day is descending that river, an hundred thousand strong, to attack and carry Norfolk and Richmond; that another army, under General Frémont, is moving upon Cumberland Gap, to cut off the communication of the insurgents with the more southern States; that a third army, under General Halleck, equal in numbers and efficiency with that of the Potomac, is descending both banks of the Mississippi, flanking what has hitherto proved to be an irresistible naval force, which is making its way upon the river itself to New Orleans; while a fourth column of land and naval forces, under General Butler and Captain Porter, deemed adequate to any emergency, is already believed to be ascending the river from the Belize to attack New Orleans. Burnside has really left nothing to be done to rescue the ports between Norfolk and Charleston. Charleston cannot long hold out; and the fall of Savannah is understood to be only a question of days, not of weeks. Mobile cannot stand after the fall of these and of New Orleans, and all the ports between those cities are already in our possession.

This summary of our military situation encourages us to believe that the insurrectionary government must very soon fall and disappear.

The second question upon which his Majesty expressed his anxiety is, whether cotton will come, even after the government shall have opened the ports.

Upon this point you may safely assure him that all apprehensions are, in our view, groundless. The American people, in the southern as well as in the northern States, are a civilized, industrial, considerate, and Christian people, and therefore they are a practical people. A seditious faction has induced the southern people to appeal from the constitutional decision by ballot, upon a question of administration, to the unconstitutional test of arms. They, like ourselves, are obliged by the laws of our social condition to submit to the decision of arms when it is made. Of course reckless leaders threaten, in advance of the decision, that it shall not be respected, and, of course, some of them will attempt to prevent acquiescence in it after it shall have been made. They could succeed, however, only by instigating a guerilla war, and that form of warfare would find no support in any part of this country.

You will reassure the French government of the disposition and purpose of the President to remove the extraordinary restraints which have been laid upon commerce, just so far and so fast as it can be done compatibly with the attainment of the sole object of the contest on our part, namely: the re-establishment of the Union.

It would be disingenuous to close this communication without adding that now, as heretofore, it is the firm opinion of the President that it is in the power of the Emperor of France himself to render it absolutely certain that the efforts this government is thus making for the pacification of the insurgent region shall be crowned with immediate and complete success. The insurgents, hemmed in on all sides, without possessing a port or any other egress, and ruined and demoralized, as they are, are not any longer, even if at any previous time they have been, entitled to the forbearance of foreign powers as a public belligerent. Their persistence in resisting the government of their country depends on the groundless hope of foreign intervention which they indulge. So long as they are regarded by foreign nations as a belligerent, they will not relinquish all expectation of such intervention. This view, however, has been already submitted to his Majesty more than once, and it is therefore unnecessary to enlarge upon it, or to re-enforce the arguments in support of it heretofore advanced. A new argument, however, offers itself at the moment when I am closing this despatch. Information comes from Florida that the people of that State, whose ports and harbors have an importance in regard to commerce only inferior to their value in regard to naval defence, are already taking the incipient measures for a renunciation of disunion and a complete restoration of the authority of the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*, *&c.*, *&c.*

Mr. Dayton to Mr. Seward.

[Extract.]

No. 131.] PARIS, *March* 31, 1862.

SIR: * * * * * * * *

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Your communications to Mr. Mercier in respect to opening a way for the transmission of letters to New Orleans, &c., from French houses, have, I think, been made known to this government. They seem to feel an interest in the accomplishment of this purpose, but subordinate altogether to the question of cotton. That is now the great and leading point of interest between them and us. The changed condition of things at home has driven out of mind (or at least out of our political conferences here) all questions as to the efficiency of the blockade as now maintained. The French government has come to the conclusion, I think, that we will get possession of the cotton ports, but they seem now to be troubled with grave doubts whether in that event, even, cotton will be forthcoming. This suggestion, as I have already said, was made by the Emperor, and afterwards was repeated by Mr. Thouvenel. I told Mr. Thouvenel that it was possible that foreign purchasers might find it necessary to send their agents into the interior for the purpose of buying directly of the producer, instead of their factors at the seaports, but that I did not doubt that cotton enough would remain undestroyed in the southern country to supply existing wants. I again called his attention to the propriety of his government's retracing its steps in regard to its concession to the insurrectionists of belligerent rights, referring him to the considerations in reference thereto stated in your despatches. He gave me no reason to suppose they would at present comply with this request. On the contrary, he said that it would scarcely be worthy of a great power, now that the south was beaten, to withdraw a concession made to them in their day of strength. I asked him, in reply, how long this concession was to last? How far it was expected we should go in crushing out this rebellion before it would be withdrawn? I said that it might well happen that, even after the southern ports were in our hands and their armies subdued, that bodies of men—brigands and guerillas—might be found in arms in some sections of the country, and I begged to know whether they were then yet to be considered as a "belligerent power?" Whether their flag was yet to be respected? He said it was impossible to answer these questions without conference with England. That they had acted in these matters upon an understanding throughout. But, he said, if we took possession of the ports, the war would be altogether internal, and France would have nothing to do with it; that if we had the ports in our possession, no southern cruisers could get out, and the recognition of their flag would practically be a matter of no importance. I told him that some cruisers were already out—the Sumter for instance. "Oh!" said he "she is fast; she can't move." I then told him that, aside from foreign ports, from sundry points upon our own coast, (not ports by law,) small armed craft might steal out to prey upon our coasting trade, if their right to do so was recognized by maritime nations. This fact, together with the countenance and moral support which the concession of belligerent rights gave to the rebellion, made it most desirable to the government of the United States that it should be ended. He seemed to think that we attached an undue importance to this. He said that their own consuls reported to them that the south were very much dissatisfied with France; that they complained that they had been badly treated, and threatened even to send their consuls and citizens out of the country. He said, furthermore, that we knew very well that all the sympathies of France and her people had been with the north from the beginning, and we could yet see how these sympathies tended from the mode in which the commissioners of the south had been received here.

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I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c., &c.,

Mr. Seward to Mr. Dayton.

No. 136.] Department of State,
Washington, April 1, 1862.

Sir: Your despatch of March 18 (No. 127) has just been received.

I have anticipated the chief subject presented by you in a previous communication, No. 133.

New Orleans, and all the other southern ports which have not yet fallen into our hands, are not now left to a mere blockade, but are in a state of siege, during the continuance of which correspondence and commerce of course are suspended. The result of the siege will probably transpire while this paper is on the way to its destination.

We expect success, and after it we shall seek to restore commerce.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr Dayton.

No. 137.] Department of State,
Washington, April 8, 1862.

Sir: Your despatch of March 19 (No. 128) has been received.

It is a source of much pleasure to us that the European maritime powers are engaged in discussing among themselves the defects of the law of neutral rights in maritime war. We are not ambitious to enter into these debates so long as our divisions shall continue to impair our national prestige. If we succeed soon in healing those divisions, as we now expect, then our interests will more than ever be found moving in the line of the liberal principles which we have so constantly advocated and maintained. In any case, I think it cannot be long before some of the continental maritime states will be brought by their own embarrassments to see how deeply they themselves are interested in our resumption of our former preponderating influence in favor of neutral rights.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 138.] Department of State,
Washington, April 15, 1862.

Sir: Your despatch of March 25 (No. 129) has been submitted to the President.

It relates to a conversation which you held with the Emperor on the 25th of March last.

The President is pleased with the fact that you have had an opportunity, under favoring circumstances, to submit his opinion concerning the desirableness of a revocation of the imperial decree by which the insurgents were recognized as a public belligerent.

The Emperor is understood to have avowed in that conversation that this decree was made upon the assumption then commonly held by European statesmen, that this government would be unable to maintain the authority of the American Union. After discussing the changed condition of affairs, so far as it was then visible in Europe, his Majesty reverted to the question so naturally presented to his mind, whether cotton would be speedily procured from the United States when the national forces shall have come into occupation of the ports in the so-called cotton States.

I am instructed now to give you a more full and particular survey of our military position as it is at the present moment, to enable you to show to Mr. Thouvenel that it is such as authorizes friendly nations to assume, as a fact, the certainty of the failure of the insurrection.

Secondly. I am to show you how the immediate commercial interest of France is involved in an early revocation of the concession of belligerent rights to the insurgents.

A map of the middle, southern, and southwestern States accompanies this paper and elucidates it.

You will bear in mind that all those States called slave States are the seat of the insurrection, and that all the other States called free States, together with the Territories, are free from its presence, and even from the roots from which the insurrection sprang. Not a division, brigade, regiment, or even a company of men, organized in or derived from any free State or Territory, is in arms against the Union. Some of the border slave States have furnished regiments to each cause. But Delaware, Maryland, Missouri, Kentucky, Tennessee, and Virginia severally have sent very large forces into the armies of the Union. Missouri has been cleared of all organized bodies of insurgents, and for some time the outrages once committed by the few roving guerilla bands there have ceased.

The battle of Pea Ridge, in which General Curtis beat the chiefs Van Dorn, Price, McIntosh, and McCullough, has firmly established that general and the national colors in the northwestern part of Arkansas, which is an interior slave State. In Kentucky, a border slave State, no insurgent force remains. All the fortified positions of the rebels have been abandoned, and the State of Tennessee, an interior slave State, has been crossed by the advancing army of the nation, which, after the victories of Fort Henry and Fort Donelson, the occupation of Bowling Green, Nashville, Murfreesborough, and Columbus, a few days since captured the fortified position of Island No. 10, with one hundred and twenty-five guns and six thousand prisoners, and two days afterwards beat the revolutionary army, eighty thousand strong, at Pittsburg Landing, killing their general-in-chief, Albert Sidney Johnson.

Within the last few days General Mitchell, by a forced march and subsequent evolutions, manifesting extraordinary vigor, occupied, without loss, Huntsville, Stevenson's Station, and Decatur, and thus possessed himself of one hundred and ten miles of the Charleston and Memphis railroad, with two hundred prisoners, twenty locomotive engines, and a large number of railroad carriages, which will be very useful in future operations.

This stroke is very important, insomuch as it cuts the great artery of communication by railroad between Memphis and Richmond with the southeastern (slave) States. Jacksonsborough, in Eastern Tennessee, has been visited by our forces, which are thus seen to be approaching Knoxville, the principal city of that always loyal part of the State of Tennessee.

The western part of Virginia has been cleared of insurgents, and General Frémont has set his columns in motion in that direction from Monterey and Moorefield. General Banks is ascending the valley of the Shenandoah. General Blenker's division is on the march from Warrenton towards Strasburg to unite in that movement which promises to cut the Richmond and

Covington railroad first, then the Southwestern Valley railroad of Virginia, and so sunder the communication between Richmond, the seat of the pretended confederacy, and Knoxville.

General McDowell, with the army which covers Washington, reports that the insurgents have retired upon Richmond from the new line which they recently attempted to establish on the Rappahannock and the Rapidan. The eastern shore of Virginia has been entirely relieved of insurgents by General Lockwood's brigade.

Generals McClellan and Wool, at Fortress Monroe, and on the peninsula between the York and James river, are laying siege upon Yorktown, which covers the approach to Richmond from Chesapeake bay.

General Burnside occupies the cities, sounds, and coasts of the eastern part of North Carolina, an interior (slave) State, and holds Fort Macon by siege, which cuts it off from all succor

The national forces have cleared all insurgent bodies from a territory which embraces one hundred and fifty thousand square miles, and which, at the last census, returned a population of three millions. One-half of the coast of South Carolina and the whole coast of Georgia, and the harbors, cities, and coasts of Eastern Florida are occupied by the army under the command lately of General Sherman, now of General Hunter. The fortresses of the Florida reef at Key West and the Tortugas islands at the harbor of Tampa Bay and Cedar Keys are all garrisoned by national forces. Ship Island, Biloxi, and Pass Christian, on the coast of Mississippi, the head of the delta of the Mississippi river, are also fully occupied by federal troops. Fort Pulaski, on the Savannah river, and commanding Savannah, having undergone bombardment several days, has at last succumbed. There is scarcely a harbor on the coast of the insurrectionary States, from the Chesapeake to the Mississippi, which is not held and hermetically sealed by a force occupying some island or battery, as well as by the blockading squadron. Charleston, St. Mark's, Apalachicola, and Mobile, although not occupied by troops, are yet closely blockaded by our fleet. New Orleans is threatened by the bomb fleet of Captain Porter, who is ascending, and by the iron-clad flotilla of Captain Foote, which is now descending the Mississippi with General Pope's victorious army under convoy. A few days will probably complete the opening of the Mississippi river, and restore to the country that national outlet of the great granary of America which disunion, in its madness, has temporarily attempted to obstruct, in violation not more of political laws than of the ordinances of nature.

An iron-clad fleet is being rapidly concentrated to reduce Fort Sumter and the fortifications of Mobile.

The national forces contain not one drafted conscript or other involuntary soldier. They have risen to the number of seven hundred and eleven thousand men. They are amply provided with arms of precision, artillery, wagons, horses, steamers, and other means of transportation, clothing, and all the provisions and appliances of war.

Supplies are cheap and abundant. The magazines contain clothing and tents for several months, and the people are pressing upon the commissariat their requests to furnish additional stores. An order from the Secretary of War to receive no more volunteers brings back remonstrances from individuals and States.

Twenty-five thousand prisoners, carefully guarded in the loyal States, find themselves better sustained, better clad, and more humanely treated than they were when bearing arms against the government. The insurgent chiefs have for months resorted to levies *en masse* and to drafts, forcing the young and the aged, the loyal and the disloyal alike, into their unnatural service. The troops of the Union are all well equipped, well drilled, well disciplined, good marksmen, brave, patriotic, and eager. They make much and very skilful use of the bayonet, and always with effect. They are everywhere advancing. They have taken every position they have approached, and have won every battle and skirmish in which they have been engaged for several months past.

Missouri, Kentucky, Tennessee, and the western and northern parts of Virginia, as well as Eastern Florida, have been abandoned by the insurrectionary chiefs.

Finally, not only are our resources ample, but our credit is undisputed and sound, while that of the insurgents is exhausted, and they are reduced for revenue to direct taxation upon only the cotton States, which, while they produce little else than cotton, are threatening to destroy the cotton now on hand, and refusing to plant the seeds for a future crop.

We think we may safely submit to maritime nations the question whether there is any longer the least ground to apprehend a failure of this government to restore the federal authority in the revolutionary section, and to maintain and preserve the federal Union. If this is so, is it generous, just, or wise for friendly states any longer to recognize the insurgents as a public belligerent?

The questions how soon cotton can be gotten, and how much cotton, of course depend mainly upon the point how soon and how completely the insurrection shall cease. The Emperor of France need not be told that terror precedes and desolation follows the track of armies, and that when war has ceased, industry resumes its haunts and habits just in the degree that they have left unexhausted the resources of the country.

We have seen that the insurgents threaten to destroy the cotton already in store, and to prevent the new planting of that important staple. Why? There is a reason frankly assigned by them, namely, to *compel* France and Great Britain to become their allies in a war against our own country. Why do they still dream that such alliances are yet possible? Only because they have seen France and Great Britain seem to hesitate whether to look for cotton through the overthrow of the Union or through its success in arms. In the President's opinion it is this attitude of maritime powers alone that now prolongs the war. The war will indeed speedily come to an end, in which the Union will triumph, even though that attitude of friendly nations remains unchanged; but the end would follow all of a sudden the change of attitude. There is no doubt that the blockade might be safely removed, and cotton, tobacco, and other southern productions be left to flow freely out of the southern ports, if commercial states should now come to the conclusion to know and regard the flag of the Union as the only one in our country entitled to be known in their commercial and political intercourse.

It is proper that you should be informed that a despatch essentially similar to this has been transmitted to Mr. Adams, with instructions to exercise his discretion as to the time when its suggestions shall be communicated to the British government. You will exercise a like discretion on your part.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 139.] Department of State,
Washington, April 16, 1862.

Sir: Your despatch of March 26 (No. 130) has been submitted to the President.

You will learn with pleasure that the suggestion lately made by the President in his special message to Congress, touching the co-operation of Congress with the States in measures for the gradual removal of slavery, has been approved by both houses of Congress, and has also been received with much favor by the country.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Wm. L. Dayton, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

No. 137.] Paris, *April* 17, 1862.

Sir: Your despatches from No. 128 to 135, both inclusive, have been duly received. Through some oversight, I neglected to acknowledge the receipt of the first five when they came to hand.

The change in the condition of things at home has produced a change, if possible, more striking abroad. There is little more said just now as to the validity of our blockade or the propriety of an early recognition of the south. The fight between the Monitor and the Merrimack has turned the attention of these maritime governments, and of England more especially, in another direction. They certainly appreciate more highly than heretofore the difficulty of shutting up distant ports with wooden ships. They must see, too, that the present unhappy condition of things in our country is forcing us to increase our iron-clad vessels with a rapidity elsewhere unknown. With a powerful and disciplined army on foot, and a heavy iron-clad naval force at our command, the world will understand that our just rights are not to be trifled with. I only hope that no consciousness of strength may, at the close of our domestic struggle, induce a spirit of arrogance or aggression upon our part towards other nations. If the control of the government be then in its present hands, I am sure that such spirit will be restrained.

Your confidential despatch (No. 133) has been read by me with great interest. It is in answer to mine of March 4, (No. 124,) giving you the substance of a conversation with the Emperor. The point of that conversation was the somewhat anxious expression of a hope upon his part that some of the cotton ports would be opened, and the expression of a confident belief upon mine that it would be done at an early day. This, upon my part, was predicated upon the repeated assurances received from Washington that as we took possession of the southern ports they would be opened to trade. Your despatch, however, though summing up with great force the strength of our present position and the grounds of our future hopes, gives no distinct assurance of the time or circumstances under which any of the ports will be opened. To say, as your despatch does say, they will be opened "upon the re-establishment of the Union," will be, in the view of foreign governments, rather to limit than extend the assurances heretofore given. They will say, I fear, with justice, that we have heretofore held out to them what they believe to be a better hope than this.

They will feel that as our strength increases, and our fears of foreign interference diminish, we are not willing to make good our promises. I will communicate your views to Mr. Thouvenel, but I must say I feel somewhat the awkwardness of my position, though I am quite sure that I have not heretofore gone further in my assurances than communications from your department justified.

Your reference to the question of a withdrawal by France of the concession of belligerent rights to the south is noted. I will keep the suggestion in view, but you will have already learned, by a subsequent despatch from me, that I have fully presented that matter both to the Emperor and to Mr. Thouvenel.

I have forborne to address them in writing upon this subject, because I feared that a direct and formal refusal would commit this government still further, and make the matter worse. Besides, did you not refuse to take official notice of the fact that such concession ever was made? Mr. Adams, on a recent visit here, informed me that he had not yet addressed the British government upon this question, but having learned what had been done here, he would now make the suggestion there. As these governments act upon an understanding on this question, it is, perhaps, not wise for me to go further until it shall appear that some suggestion has been made in England.

I was happy to receive a visit from Mr. Adams, and to confer with him upon this and other matters.

I am, sir, your obedient servant,

WILLIAM L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 141.] Paris, *April* 22, 1862.

Sir: In my despatch No. 137 I fear I did not do full justice to your intentions in respect to the opening of cotton ports, expressed in your confidential despatch No. 133. I was a little surprised by the vague and general terms in which you expressed those intentions, and felt that the government here would not consider them as explicit and satisfactory as those heretofore used. Upon examining them with more care, they seem to me less vague than I at first supposed. As we have already taken possession of a considerable number of these ports, and have expressed ourselves as having no doubt of our ability to hold them, this government has doubtless expected, in view of our past assurances, that the blockade would, as to such ports, or some of them, be raised or modified. I have reassured Mr. Thouvenel on this subject to-day in accordance with your last despatch, and left it with him to be read. He said, as my conversation, to which it was a reply, was with the Emperor, he should submit the same to him personally; to which I, of course, cheerfully assented. The language of the despatch, in reference to the Emperor and to the course of our diplomatic negotiations for the past year cannot, I think, but be gratifying both to Mr. Thouvenel and his Majesty.

Upon my assuring Mr. Thouvenel of the disposition of our government to open cotton ports as soon as they could safely do so, he replied that he had just returned from a visit to certain of the manufacturing districts of France;

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that it was most painful in some of the large manufacturing districts to see their immense establishments "not smoking," or, in other words, "not at work," and the population unemployed; that the distress was great, and the demand for cotton consequently most urgent.

I am, sir, your most obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 141.]

DEPARTMENT OF STATE,
Washington, April 22, 1862.

SIR: Your despatch of March 31 (No. 131) has been received.

I have already exhausted in other papers the principal topics it presents.

Mr. Mercier proposed in a very proper manner that he would visit Richmond if we should not object. Of course the President approved, being satisfied that he would not in any way compromit the relations existing between the French government and our own. It is impossible not to see now that the insurrection is shrinking and shrivelling into very narrow dimensions. I hope that Mr. Mercier may come back prepared with some plan to alleviate the inconveniences of his countrymen in the south, who are not acting against this government, and, in that way, against the peace and harmony of the two countries.

The real difficulty is, that the southern ports are, and even the whole southern country is, now actually in a state of siege, and communication in anything like a normal manner is impossible.

You will notice that General McDowell has entered Fredericksburg, and General Banks is marching successfully quite through the valley of Virginia. We have reason to expect Savannah to come into our possession within the next ten days, and Fort Macon to fall about as soon. The insurrectionary leaders have made a conscription of all between 18 and 35. They issue new paper which sells for gold at the rate of one hundred dollars for twenty.

Mr. Thouvenel's assurances to you on the subject of Mexico are eminently satisfactory to the President.

It is among the most gratifying indications of our speedy success in restoring the peace of the country that all the foreign ministers here (so far as I know) are now satisfied of the certainty of the event, and more than one of them are asking leaves of absence to visit Europe, a privilege they would not ask except under such a conviction. Mr. Hülsemann thinks he can go home; Mr. Schleiden has gone.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No 146.]

DEPARTMENT OF STATE,
Washington, April 28, 1862.

SIR: You will fully appreciate the importance of the capture of New Orleans, which was effected by our naval expedition, exclusively, on the 24th instant. The news reached us through insurgent organs last evening. As yet we have not received details, nor can we fully apprehend, at so early a moment, the changes in the plans of the insurgents which this great event must produce. It is hardly to be doubted that it will enable us, before another despatch day shall arrive, to restore the mails to that great commercial city under such restraints, not oppressive to innocent commercial intercourse, as the military exigencies will permit.

We were indeed just maturing a plan for that purpose when intelligence of the great victory arrived.

We hear that Captain Bullock, of Georgia, writes from London that he is sending out five steamers which he has purchased, fitted, armed, and supplied with materials of war, in England, to prosecute a naval war against us. This can be regarded as nothing less than a piratical invasion of this country from Europe, under the toleration of European powers. We do not doubt our ability to meet and overcome it. But it seems to us worthy the consideration of maritime states, whether our success in maintaining the integrity of our country shall be necessarily accompanied with the conviction, fixed forever in the public mind, that Europe lent its aid to the abortive revolution.

The President knows that France has wished us well. Would it not be well for her to signalize her aversion from the designs of European conspirators?

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 148.]

Department of State,
Washington, May 1, 1862.

Sir: The President, as you have been already informed, is directing that measures be taken to mitigate the rigor of our blockade, with a view to the relief of France, whom we would not willingly see suffer unnecessarily by reason of the calamities which have befallen our own country. I have so often said that the concession of belligerent rights to the insurgents has aggravated and prolonged these calamities that I need not now repeat that remark. I may, however, observe with entire propriety, I think, that the United States have a right to expect at least actual neutrality from the foreign governments which have proclaimed it. Certainly France, while looking to us to mitigate our war in the interest of herself and other friendly nations like herself, could not, without protest, see the same war prosecuted against us by subscription among the merchants of England. Entertaining this opinion, I send you a copy of a recent letter which has been received from our consul at Liverpool, and of a letter founded thereupon which I have addressed to Mr. Adams.

The pain inflicted by transactions like this is mitigated by the concession which other nations imply in their treatment of us, namely: that we are strong enough to overcome our domestic enemies with all the aid they can unlawfully obtain abroad, and that we are believed capable of being generous to any extent that foreign interest, passion, or prejudice shall seek to profit by our national misfortunes.

But this consideration does not tend to the consummation which is necessary for ourselves and for the world. We want peace with independence, and it is equally the interest of France and of Great Britain that we be as soon as possible allowed to enjoy them. Let us have on all sides true neutrality, and this hateful and injurious domestic strife will, within a very few months, be remembered only as a lesson full of instruction to all nations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 149.]

Department of State,
Washington, *May* 5, 1862.

Sir: As you will be more particularly informed by papers sent herewith, New Orleans is opened to the mails. A collector has also proceeded there to take measures for opening that port. Other ports will be opened also. The Treasury, War, and Navy Departments are completing the details of preparation. The fall of New Orleans, Fort Macon, and Yorktown in rapid succession have produced a general expectation of peace. No one on either side of the contest dreams of peace otherwise than with the complete restoration of the Union. Indeed, the whole country feels that this consummation has actually begun. How strangely in contrast with this conviction are the coldness and indifference manifested by maritime powers, and the crowding of our coasts with contraband European vessels freighted with arms and munitions of war vainly consigned to the insurgents! France, Belgium, and Great Britain, while suffering the sorest privations, are, nevertheless, constantly sending hither on desperate ventures the means to protract the calamitous war they deprecate. We shall have peace and Union in a very few months, let France and Great Britain do as they may. We should have them in one month if either the Emperor or the Queen should speak the word and say, If the life of this unnatural insurrection hangs on an expectation of our favor, let it die. To bring the Emperor to this conviction is your present urgent duty. If successful in performing it, you will render a benefit to France worth more than any conquest, while you will direct a stream of healing oil upon the wounds of our own afflicted land. The President prays and trusts that you may succeed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to the diplomatic and consular agents of the United States.

CIRCULAR.

Department of State,
Washington, *May* 2, 1862.

Sir: I have the honor to state, for your information, that the mails are now allowed to pass to and from New Orleans and other places which, having heretofore been seized by insurgent forces, have since been recovered and are now reoccupied by the land and naval forces of the United States.

It is proper, however, to add, that a military surveillance is maintained over such mails so far as the government finds it necessary for the public safety.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Mr. Seward to Mr. Dayton.

No. 151.]

DEPARTMENT OF STATE,
Washington, May 7, 1862.

SIR: Your despatch of the 22d of April (No. 141) has been received.

I am very glad to know that you communicated what I have before written you about the purpose of this government to open southern ports as early as should be possible.

Although New Orleans was captured on the 24th of April, and has since been fully possessed and occupied, we have not yet received official information of the fact, nor has the treasury been able to perfect there the arrangements necessary for the restoration of trade. These arrangements are now being completed, and I expect that the same steamer which will carry out this despatch will also carry to Europe the proclamation for the restoration of commerce. That proclamation, I think, may be regarded by the maritime powers as an announcement that the republic has passed the danger of disunion, and is ready once more to renew its course of beneficent enterprise.

The Emperor of the French can readily understand how much difficulty we have found in opening our ports to the maritime powers which have so long and so persistently, and so unnecessarily, conceded belligerent privileges to a faction which was waging war for the desolation of our country. It will be a study for the historian, why those powers, on the first sound of the bugle of faction, so absolutely abandoned all their former faith in the government and people of the United States. We have deeply desired that France, our earliest friend and the only ally we ever had, should rise above the other nations in appreciating the virtue and the capacity of the American people. We have thought it would be even useful to France herself to assume such an attitude. We have been thus far disappointed. But we do not, therefore, mean to be unjust. We acknowledge that France has faithfully practiced the neutrality she proclaimed, and that in the whole progress of the domestic strife she has not only spoken the language, but acted in the character, of a well-wisher and a friend.

The year of the American insurrection will be known in the history of mankind as one of disaster and fearful apprehension to all nations. It has been our study so to conduct public affairs with foreign nations as to cast off from the government itself all accountability for the unnecessary aggravations of what might and ought to have been only a brief and local political disturbance, resulting from a sudden gust of popular passion.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 152.]

DEPARTMENT OF STATE,
Washington, May 8, 1862.

SIR: Your despatch of April 22 (No. 142) has been received.

Mr. Thouvenel meets all the just expectations of the President in regard to the Mexican question, when he says that we may take the speech of Mr. Billault as an embodiment of the views and purposes of the French government. You will express to Mr. Thouvenel a just appreciation of the directness and frankness of his explanations, and at the same time renew the assurances of the desire of the United States that peaceful relations may soon be restored between France and Mexico upon a basis just to both parties and favorable to the independence and sovereignty of the people of Mexico, which is equally the interest of France and all other enlightened nations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 154.]

Department of State,
Washington, May 10, 1862.

Sir: Your despatch of the 17th of April (No. 137) has only at this hour come to my hands.

It is hardly necessary now to explain why I was content to dwell so briefly upon the Emperor's desire for a relaxation of the blockade in my despatch No. 133. New Orleans was at that very moment beset, and the reduction of that important port was expected without delay. When it should have taken place, the question of modifying the blockade would become not only an immediate question, but one easy of solution. The event anticipated has occurred, and the consequence has followed. The present mail carries to Europe the proclamation of the President which opens the door to domestic and foreign trade, under necessary reservations. The sincerity of the President in all that I have written in this respect is not to be questioned. If the trials of civil war, amid the fears of foreign intervention, have obliged this government to practice prudence, the greatness of the cause has, at the same time, awakened profound conscientiousness and devotion to truth.

How great will be the fruits of the opening of our ports for the export of cotton, and how speedy the fruition of them, will now depend largely on the maritime powers. There is not, indeed, one armed cruiser of the insurgents afloat; not one port on our coast in which a pirate can find shelter, or from which it could escape. Nevertheless, the defeated faction can destroy the materials of trade, and can prevent culture and production. They can do these things, however, only upon the pretence that they thus hope to constrain foreign nations to assume their cause. Meantime the armies of the United States constantly become more firm and consolidated; and a navy is coming into activity which will soon be equal to every possible conflict. The resources of the insurgent faction are failing and the forces exhausted, and the passion which has been their only moral element is subsiding. Shall we be now allowed to have peace, or must we still persevere in the organization and conduct of war? Distress, attributed to this war, everywhere reveals itself in Europe. The British statesman seeks to soothe it by apologies at Manchester; the Belgian authorities direct musical concerts to raise funds to relieve the destitution at Liege; and the French manufacturer of silk and cotton fabrics is already brought to the practice of frugality in feeding his looms. If the war in America has produced these inconveniences, it is only peace in America that can end them. Europe set out at the beginning of this strife with the idea that America would consent to procure peace through a dissolution of the Union. Has not America dared and done enough already to satisfy Europe that peace, with all its blessings, will be accepted on no other terms than the unity of the American republic? Let the world accept this truth, and then the plough, the shuttle, and the transport will come again into activity. Less than a year will witness the dissolution of all the armies; the iron-clad navy will rest idly in our ports; taxes will immediately decrease, and new States will be coming into the confederacy, bringing rich contributions to the relief and comfort of mankind. What European state will not be profited by this change? Is there no one that will have the magnanimity to perceive that it ought to be accepted?

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 158.]

DEPARTMENT OF STATE.
Washington, May 12, 1862.

SIR: It will be proper for you to inform Mr. Thouvenel that I have communicated the substance of his explanations given to you on the subject of Mexican complications to Mr. Romero, excluding, however, all that part of the explanations which was stated to you by Mr. Thouvenel to be confidential. A copy of my communication to Mr. Romero is annexed.

The frankness and distinctness which we have maintained throughout with all parties on this grave subject have seemed to require this proceeding.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c , &c.*

Mr. Dayton to Mr. Seward.

No. 147.]

PARIS, *May* 16, 1862.

SIR: Your several despatches from No. 138 to No. 146, both inclusive, have been received.

Despatch No. 138, received on the 7th instant, gives a summary of our military position for the purpose of enabling me to satisfy Mr. Thouvenel that the government of France should assume as a fact the certain failure of the insurrection, and that its commercial interests demand a withdrawal of the concession of belligerent rights to the insurrectionists.

I am waiting in daily expectation of hearing what Mr. Adams has done in England upon this question. Without this knowledge I do not feel that it would be wise or prudent to urge the point further at the present moment.

My despatch of March 29 (No. 131) gives you the substance of a conversation with Mr. Thouvenel upon this point, which is subsequent in date to that with the Emperor, to which your despatch refers. The question of the propriety of revoking this concession of belligerent rights has been presented to this government so distinctly and earnestly that I am quite sure the answer of Mr. Thovenel, given in that despatch, was upon full advisement. Without a still further change for the better in the condition of things at home, or some encouraging information from Mr. Adams, I hesitate to urge the point further at present. It might be considered as savoring of importunity, or, at all events, as wanting in that diplomatic forbearance which this government would have a right to expect. This remark applies only to my further and immediate action upon this question; not at all to your despatch. At the time that despatch was written you were yet ignorant of my last conversation with Mr. Thouvenel. The misfortune is that, acting upon previous instructions, I have, in this respect, anticipated your wishes. But the course of events has already greatly added to the strength of our position. Each day adds a new argument to the strength of our claim upon these governments for a revocation of that unwise concession. If, in addition to the taking of New Orleans, our armies at Yorktown and Corinth should be successful, there would scarcely remain a plausible excuse with which to evade our demand. It can hardly be that so good a government as that of France will long continue a wrong which commenced in a wholly mistaken view of the policy and power of the United States. But in the present condition of things—our armies yet facing each other in the field, and the denouement daily expected—the French government will probably wait the result.

I shall avail myself of the contents of your despatch at an early day, and hope, in the meantime, that coming events may even add to its force.

I am, sir, your obedient servant,

WILLIAM L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c., &c.

P. S.—Since writing the above I have received a communication from Mr. Adams, which informs me that the British government had "no intention to vary the policy" adopted heretofore; and he states, further, that after having read your late despatch upon this question, "the answer was that the great ports were not yet in our possession, and the issue appeared yet uncertain."

Under these circumstances I shall wait the development of a few days more at least before addressing myself again upon this point to the French government. D.

Mr. Dayton to Mr. Seward.

No. 149.] Paris, *May* 22, 1862.

Sir: Your despatches No. 147 to 150, both inclusive, have been received, and their contents respectively noted.

In my prior despatches I have informed you fully of my suggestions to the government here as respects the propriety of withdrawing the concession of belligerent rights granted to the south, and of my purpose to wait the development of a few days before mooting the question further. Your despatch No. 149, subsequently received, and an unexpected interview with Mr. Thouvenel, under favorable circumstances, induced me to suggest it again.

I had a long conference with him on the 21st instant, and am fully satisfied that his previous answer given me on this question was upon advisement.

Immediately upon my entering his office, he said he had just received news from the United States. That the day preceding the secretary of their legation at Washington had arrived here, and they had a long talk about our affairs. He referred to our late successes, and the present position of our armies. He said he had never doubted the superior strength of the north, nor of its ability to overcome the south; but the question was, how were we to govern them afterwards? That under our form of government the assent of the people seemed to be *essential.* Putting his finger upon a map, and pointing to the central parts of the southern cotton States, he said, that when beaten they would retire there; that it was a *vast country*, and consequently very difficult to foresee the future. I then recalled to him my former suggestion as to a withdrawal of the concession of belligerent rights as an act of justice to us, a friendly power, and a certain means of hastening the forthcoming of cotton to France. I pointed out to him on the large map received from your department the mode in which the insurrectionists were hemmed in without a port or outlet to the sea, with their cities taken, New Orleans and the Mississippi river in our possession, their feeble fleet in those waters destroyed, and with no ships or commerce anywhere. He said these things were true, and the concession of belligerent rights was therefore a nullity—mere waste paper; that it had been granted origially because it was supposed there would be an external as well as an internal war between the parties, and it would therefore be an essential to the commerce of France; that the concession was for a purpose external, not internal; but he repeated substantially what he had said on a prior occasion, that it would not be a handsome thing in a great government at once, upon the south being worsted, to withdraw a concession which had been made to them in their day of supposed strength; that, aside from all political reasons, he *felt* that such a proceeding would not be exactly worthy of France; or, in common parlance, if I understood him aright, the thing would not look well. Besides, he said again, they could do nothing upon this subject without England. That they had acted together, and although there had been no treaty to that effect, yet France considered herself bound by this understanding. The answers to these suggestions seemed very obvious, and I, of course, used them. I told him that so far from this concession being regarded as of no importance by the insurrectionists, their resolutions to destroy their cotton, and not to plant another crop, were predicated altogether upon the hope that, in that event, necessity would yet drive these governments into alliance with them; that so long as this concession stood it was a hand extended, encouraging them to hope for more; that its prompt withdrawal at this time would end the rebellion at once. I further stated that this concession of belligerent rights was made in derogation of the sovereign powers of a friendly state, and under a mistaken view of facts, and it was but just to us that, upon the true state of the case appearing, it should be promptly withdrawn; that the acknowledgment by a foreign power of another flag within our sovereignty and jurisdiction was (aside from any practical effects) a matter which, of necessity, touched the pride and wounded the sensibilities of our people; that we first appealed to France to set this matter right, because we believed that France had wished us well. As respects England, with whom he said France must act, I told him that we could scarcely hope, in view of facts stated in your recent despatches, that she would be willing to retrace her steps; that whatever might be the strictly official conduct of that government, we could scarcely forbear to see that it wilfully closed its eyes to matters which were constantly being carried on in its ports. He said, in reply, he did not think we could justly charge anything of this kind upon France or her public men. Mr. Thouvenel made no other answer to my remarks as to contraband goods going from here to the south than as heretofore stated. When, however, I told him of the subscriptions of £40,000 and £50,000 in Liverpool, and read to him a portion of your despatch No. 146, in which it is stated that you have notice that five steamers have been purchased, fitted, armed, and supplied with material of war in England to prosecute a naval war against us, which could be looked upon as nothing less than a piratical invasion of our country, he seemed, I thought, somewhat incredulous. He said it was very strange, and that nothing of that kind, as I understood him, could be justified. I submitted to him whether it would not be well for France, under the circumstances, to signalize her aversion to the designs of such conspirators. He said he would speak to Lord Cowley on the subject. I have thus given you the substance of another conference upon these matters. I do not think these general conversations amount to much, except as showing the general drift of mind and purpose of the government. They are too loose in their nature to be otherwise regarded. Inasmuch as I had learned that Mr. Adams, in the exercise of the discretion which was left to him, had submitted your recent long despatch giving a summary of our military position, in connexion with the map which accompanied it, to the British government, I have done the same here.

With you, I feel the great importance of a withdrawal by these powers of this concession of belligerent rights; but, as I have written you from the beginning, I am confident that it will not be done in France except in concert with England. This will remain true so long as the present cordial relations between these powers shall continue to exist. As you have access at Washington to the representatives of both, and may bring them into conference at your pleasure, cannot you obtain some suggestions from them favorable to such course of action? With aid from Mr. Mercier and Lord Lyons something may be done. Without such aid I fear it is not *at present* possible to accomplish anything in that direction.

I am, sir, your very obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 151.] Paris, *May* 26, 1862.

Sir: I beg to enclose you the translation of a brief extract from a recent article in the *Constitutionnel.* You are aware that this paper, if not semi-official, is often used to convey to the public mind of France the views of leading men in the government. That portion, particularly, of this article, which is in brackets, expresses very clearly views and opinions which I am quite sure are held by more than one of the present ministers, and I think by the Emperor. It seems impossible to make them understand that the interior of the southern country is penetrable by its navigable rivers, and upon and near which is the bulk of its population; that an army there surrounded, as they would be, and cut off from supplies, could not exist; and if it could, that the disposition and habits of the people would not lead them to a long stay in large numbers in the sparsely settled and remote districts of the interior. It is this wide space which constantly staggers the faith of the statesmen of France in our ability to govern the insurgents even if we conquer their armies in the field. This objection, as I have told Mr. Thouvenel, was one about which our own statesmen had no doubt, and it seemed to me eminently a question for home consideration. I have no doubt, however, that the supposed uncertainty of the future, arising from the above cause, has its influence, and weighty influence, in determining these governments not now to disturb belligerent rights.

Will you permit me, in this connexion, to suggest, that it seems to me quite important that your attempt to obtain from England and France a withdrawal of this concession to the insurgents, should not become public except in the event of assured success. A knowledge of the denial of the application *would very much encourage* the rebels in their hopes. As the matter now stands I do not see that this concession affords serious pretext to the leaders of the rebellion to encourage their followers to look for more; especially after the tone of Mr. Yancey's address to the south.

Mr. Thouvenel informs me that the consuls of France, in southern ports, report to him that great dissatisfaction exists there with the conduct of this government; so great, indeed, that they have threatened to confiscate the property of Frenchmen and send them out of the country. These governments having stopped short of direct intervention or recognition, have so much disappointed the hopes of the rebels that they are rather disposed to ignore the value of that which has, in fact, been done for them.

Respectfully, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

(FROM OUR OWN CORRESPONDENT.)

PARIS, *Friday, May* 23, 7 *a. m.*

The *Constitutionnel* devotes its first three columns to a consideration of the actual state of Affairs in America. The article, which is in very prominent type, is signed M. Paulin Limayrac. It does not deny that the capture of New Orleans is a great victory for the north, but adds:

["What does this victory prove? Does it prove that the conquest of the south by force of arms is henceforth possible? Does it change the nature of things? Does it cancel distances? And, in the hearts of men determined to make a desperate resistance, will it engender submission to the victor? Cast a glance upon the map of that immense country, and then tell us whether, after as before the capture of New Orleans, the north, advancing deep into the south, will not meet with the same insurmountable obstacles that England had to encounter at the time of the war of independence—distances, climate, impossibility of procuring provisions, and an energetic people defending their homes? Such is, in fact, now the actual state of the question. The south defends its firesides. The most skilful paradoxes will not succeed in changing opinion upon this point, and the truth conveyed in the recent words of Mr. Gladstone: 'The north is fighting for supremacy; the south is fighting for its independence.' * * *

"Nearly the whole of the Atlantic coast, the Gulf of Mexico, and the banks of the Mississippi are in the power of the federals.] Yet, considering everything, the confederation of the south has rather progressed than fallen off since the 4th of March, 1861, if we estimate only the power of the States in square miles. It is scarcely enclosed within its limits, and has under its flag the greater portion of the States which were neutral on the accession of Mr. Lincoln. Moreover, the army commanded by General Beauregard, far from being dispersed or weakened, is increasing, gaining strength, and preparing for proximate eventualities, according to plans which certainly exist, although they have not transpired. Thus the *dénouement* by war is further off than ever, and those who advise the north to fight to the last without mercy or consideration, those who urge it to establish its sway on sanguinary ruins and devastation, are not aware of the sad future they would prepare for the whole of America if their counsels were followed. We entertain other sentiments and other ideas. We never wished to see one of the belligerents crush the other. Inspired by that wise and generous policy which, at the commencement of the war, offered its mediation, we never desired that, under the pretext of emancipating 4,000,000 of negroes, slavery should be imposed on 6,000,000 of whites. Certainly, like our adversaries, at least as much as they do, we aspire to the emancipation of the slaves, but we wish for that emancipation by the progress of ideas and by the conciliation of interests, not by ruin and massacre!

"The occupation of New Orleans has not modified our sentiments and our ideas, no more than it has modified the nature of the struggle and advanced things in America."

Mr. Dayton to Mr. Seward.

No. 154.] PARIS, *June* 2, 1862.

SIR: Your despatches Nos. 151, 152, 153, 154, 155, 156, 158, and 159 have been received.

No. 151, while acknowledging that France has faithfully practiced the neutrality she has proclaimed, again refers to the anxious desire felt for a withdrawal from the insurgents of the concession of belligerent rights, and despatch No. 154 indirectly refers to the same thing. I have already informed you to what extent this point has been pressed upon the attention of the French government, and scarcely suppose you desire me, under existing circumstances, to go further. Indeed, after what has been said here, I do not see how it is possible to do so at present. I shall await some encouraging intimation from Mr. Adams of a change of purpose in England, or something from Mr. Mercier, through you, before I shall venture upon the question again, unless, in the meantime, I am otherwise directed. I repeat that it is in vain to hope that France, so long as the *entente cordiale* between the two countries continues to exist, will in this matter separate her policy from that of England.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 163.] DEPARTMENT OF STATE,
Washington, June 3, 1862.

SIR: Your despatch of May 16 (No. 147) has been submitted to the President.

You were wise in deferring further discussion with Mr. Thouvenel concerning the attitude held by France, in regard to the civil war in this country, until the expectations which you had already submitted to him should have been measurably fulfilled. The discretion you thus exercised is approved, and you will exercise it again as to the time when you will submit what follows in this paper.

The capture of New Orleans, Yorktown, Norfolk, Pensacola, and Corinth, and the virtual removal of the blockade at Beaufort, Port Royal, and New Orleans, all which events have either occurred or become known at Paris since your last reported communications with the French minister, have not only fulfilled all the promises you had at that time made, but they have also more than satisfied the desires which his government has, within the last eight months, so constantly but so courteously pressed upon the President's attention, while they are sufficient to dispel the last doubt of the preservation of the American Union which could be indulged by candid men.

Under such circumstances, the apprehension of any hostile intervention would be not less absurd on our part than unjust and ungenerous towards France. So, also, the attitude of neutrality, so solemnly proclaimed by the Emperor a year ago, is fast resolving itself into an abstraction, in view of the fact that, virtually, there is no longer a field, on land or water, where conflict with this government can be raised by the rebels in the presence of a foreign power.

The President, however, is not less anxious now than heretofore that the posture of the French government may be modified. The Emperor of France has not thought it unbecoming to expose to us the exigencies of his own country, resulting from this unhappy contest. It cannot be improper, on our part, to allude to the susceptibilities of the American people. Our prestige has been impaired by our divisions, and we have consequently encountered indifference, coldness, and, as we think, injustice and injury, in our foreign relations. When we remember that we are a democratic power, that for many years we were a leading democratic state, and that the security of the constitutional republican system in other countries where it has been established has been everywhere thought dependent on its success here, it is not to be wondered at if we think that whatever wrong it committed against us, in the crisis through which we are passing, is a wrong suffered by us in the cause of freedom and humanity, with which we are always accustomed to identify republican institutions. We are, indeed, on the eve of domestic peace, but we have a deep interest in establishing that peace upon the firmest foundations and rendering it universal. The empire of France rests upon a democratic basis. The monarch himself has declared that that empire is peace. We think, therefore, that he will agree with us in the desire that whatever has anywhere occurred, during our present conflict, to produce feelings of distrust or alienation between the United States and foreign countries, shall be seasonably corrected, in order that no such sentiments shall survive.

It is a maxim of international intercourse that no government can rightfully recognize insurgents against another as lawful belligerents, except when the state of the contest is such as to raise the probability of a successful revolution. If a recognition based on the assumption of such a probability has at any time been made, it ought to be rescinded when the probability has failed. Does any one expect that a sovereign nation can be organized by the insurrectionary States of the south, while the United States possess the Mississippi river, its tributaries, and its mouths, and virtually possess, also, all the navigable lakes and rivers of the country, as well those of the coast as those which are inland, together with the political capital and all the centres of manufacturing industry and commercial exchange? Does any one expect that the insurgents without a single ship-of-war or a place in which to launch one, or funds with which to build it, with an army demoralized, a prostrate credit, and a country exhausted of its wealth and resources, will be able to change the military position I have described?

It is a palpable fact that the movers of this insurrection never entertained any expectation of achieving a revolution. What they did desire and hope was to open a point for foreign intervention, upon which they have relied to effect the overthrow of the Union. They were shrewd men, and therefore could not have entirely miscalculated the conflicting forces. They began intrigues for interventien even before they ventured upon rebellion, and they have plied those intrigues with more assiduity and energy than they have the work of revolution. In these intrigues they have used bribes and threats as they esteemed the conditions and characters of foreign states. Their pretended revolution was, therefore, a fraud against mankind. The toleration which they received abroad, in the beginning of the strife, may be excused upon the ground of the skill with which they practiced the imposture. But now, when it has been so fully exposed and exploded, that toleration may justly be expected to be withdrawn.

But our representations made to that end are met by a new form of argument based on the assumed desperation of the insurgents. We are told that although everywhere defeated, the people of the insurrectionary region will not submit; that they are determined to carry on the war; that the belligerents will withdraw from the reach of our navy on the coasts, and the banks of rivers and lakes; that they will destroy all productions and merchandise which they cannot remove; that they will leave federal garrisons in their cities a prey to pestilence, and will resort to inland positions inaccessible to the federal armies, and direct from such positions a relentless guerilla war of indefinite duration.

We might give the fullest credence to these representations of the insurgents, and then we might say that a campaign conducted upon the principles thus announced would have no tendency whatever to exhaust the strength or resources of this government. Resistance in such a case would cost far less of life and treasure than the nation is now expending. But I do not dwell on this point.

I prefer to ask on what ground is it that a faction thus waging intestine war against the government of our country, equally without cause and without hope, could ask to be regarded by friendly states as a lawful belligerent? To regard them in that light would be to subvert maxims of the law of nations universally accepted. It would be nothing less than to make every state an insidious enemy to the peace of every other state in the civilized world, with the ultimate consequence of general war among all nations. But these menaces are ineffectual and harmless. They assume a condition of public sentiment in the revolutionary states which has no existence. Wherever the Union forces have advanced they have found a sentiment of loyalty manifesting itself just in the degree that confidence in the ability of the federal government to guarantee the safety of the citizen was restored. This has been the case in the District of Columbia, and in the States of Kentucky, Maryland, Missouri, Virginia, Tennessee, North Carolina, Alabama, Arkansas, and Florida. The federal government has either maintained or resumed its functions in the whole or parts of all the insurrectionary communities. There is no subjugation proposed, nor is any necessary. The federal government has only limited functions to perform, and every community in which it exercises them is, by the very terms of the Constitution, left to exercise self-government in all matters of municipal concern.

The insurgents do not withdraw; on the contrary, they are driven from the coasts, banks, and shores. Their commands for the destruction of cotton and other valuables fail to be obeyed as soon as their presence is withdrawn. No one fears that the pestilence will obey their summons, and follow their direction in the pursuit of victims. There are no places inaccessible to the federal army and navy, save in the mountainous districts, and there the people, if not altogether loyal, are at least divided. The guerilla war which they threaten must therefore be a social war, confined to portions of the insurrectionary States, leaving the loyal States in the enjoyment of profound peace. But guerilla soldiery, like all other, must have arms, ammunition, and supplies, and for these they must depend upon labor, and in this case upon slave labor. Slaves desert their occupations, and even cast off their bondage, just as rapidly as this civil war approaches them. Troops of them are encountered on all the highways, and the federal camps everywhere are crowded with them. Agents of foreign governments are awaiting here to receive them at our hands. Either the insurgents must allow their slaves to escape with impunity, or must prevent them by force. The attempt at prevention converts the civil war at once into a servile war. Thus, instead of inaugurating a guerilla war, the insurgents are preparing for themselves the most destructive scourge ever experienced among men.

These facts are calculated to awaken the most serious thought. The reflections they suggest concern the highest interests of nations, and reach the noblest springs of human action. I forbear from giving them an application to the merely ephemeral interests of my own country or of France.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Dayton to Mr. Seward.

No. 156.] Paris, *June* 5, 1862.

Sir: I have complied with your request in despatch No. 158, by communicating to Mr. Thouvenel the fact that you have given to Mr. Romero informally an extract from my despatch No. 142, which reports the substance of a conversation between us as to Mexican complications.

He said at once that it was quite proper that you should have done so; he was perfectly satisfied with it. I assured him, further, that the President justly appreciated the directness and frankness of his explanations, and gave to him your despatch No. 152 to be read. After he had finished reading it, he said that notwithstanding all that had passed, he had nothing to alter or to add to his former explanations; that he had instructed their agents in Mexico in conformity with the statements heretofore made and reported by me to you; that the French troops did not go there to interfere with the form of government, nor to acquire an inch of territory, nor remain indefinitely in the country. All France sought was that her existing "griefs" should be settled, and *some* government established which other countries could treat with, and which would protect their commercial agents. I only observed, in reply, that the object of my visit was, notwithstanding what had been said by the commissioners of the allies, to express to him the satisfaction of the President in the assurances he had given; and I added that the United States would yet confidently rely upon those assurances.

It may be difficult to reconcile the published opinions of the commissioners acting for England and Spain in Mexico with these declarations of the French government; but your original despatch instructed me to say that I was not authorized to demand explanations, though the government would be happy to receive them. These explanations have been freely given; if they conflict with what has been said or done elsewhere, I have not felt at liberty, under my instructions, to make such conflict the subject of comment.

Were it supposed, however, that France proposed to change the form of government and establish a monarchy in a republic next to and adjoining our own, it is not to be doubted that, upon every just principle of international law or comity between states, we would have the right to *demand* explanations. Nor do I think that France would have felt disposed to contest such right. The explanations, however, such as they are, have been volunteered by them, not demanded by us.

I am, sir, your very obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 164.]

DEPARTMENT OF STATE,
Washington, June 6, 1862.

SIR: Your despatch of May 22 (No. 149) has just been received.

It brings information of your conversations with Mr. Thouvenel upon the posture of the French government in regard to the civil strife which yet lingers in this country, down to that date. The President is very favorably impressed with the ability and discretion you have employed in those discussions.

You have anticipated and presented in a very imposing manner most of the arguments which are contained in my despatch to you No. 163, which will go out by the same mail which will convey this paper. Nevertheless that despatch is allowed to proceed, in the hope that decisive events are occurring with such rapidity here that the subject presented will not long be shut out from consideration by the maritime powers of Europe, and that renewed evidences of the President's earnest desires concerning it may not be altogether useless.

During the past week General Pope has cut off the railroads on which Beauregard's army was retreating from Corinth, and has made captures of prisoners, arms, vehicles, &c., on a scale so large that that great force may be considered as no longer existing. With these successes the entire commands of the Mississippi and its banks must by this time have been abandoned by the insurgents.

Jackson, with the forces which expelled General Banks from the valley of Virginia, was met and repulsed at Harper's Ferry, and is now, in his turn, harassed by the Union forces in his flight from Northern Virginia.

A fearful battle—the greatest and the most desperate one in the whole war—was fought at Fair Oaks, seven miles in front of Richmond, on Saturday and Sunday last, (May 31 and June 1.) The enemy was driven at all points, and the federal advance now rests within four miles of that city. A final combat is expected to take place within a few days. I forbear to speculate upon its probable result or consequences, since certainty must so soon be developed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 160.]

PARIS, *June* 12, 1862.

SIR: Your despatch No. 160 is received.

The defeat of General Banks, to which it refers, has been commented upon by the great body of the English press as though it were a victory of vast importance to the southern cause. This, together with the check to our gunboats on the James river, is assumed as altering altogether the face of things; and the future of the war is now looked upon as a sort of dissolving view. The glass is reversed, and the end, they say, seems more remote than at the beginning. In this condition of things the rumors of recent conferences thicken, and it is said that a strenuous effort is now being made to induce England and France to intervene, in some form, in our affairs. Those who are hostile to the interests of the United States care little in what form this intervention comes. They believe that, should England and France tender mediation or otherwise, and the same be rejected by our government, (as they well know it would be,) these governments could not then stop; that the cotton interests, backed by the national pride of both countries, would urge them first into a recognition of southern independence, and then into an active intervention, if need be, to stop the war. It is seen, too, by those who are unfriendly to the Union of our States, that should success attend our arms in one or two more battles, it would be too late to tender aid to the south; that their condition would not even afford a fair pretext for interference. They do not mean the opportunity shall pass if they can prevent it. What success will attend their efforts I do not know.

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I should not attach much importance to these rumors, however well accredited they seem to be, were it not for the exceeding pressure which exists for want of cotton, and the growing fear that the opening of ports merely will not supply that want.

Any hostile interference on the part of France would be much in conflict with the tone of feeling in which she has heretofore and at all times expressed herself. In addition, I do not see how she can suppose that her interference would tend to facilitate the procurement of cotton, which she so much needs. I can scarcely believe that anything *effective* will be attempted until the consequences of the opening of our ports have been realized; as yet no time has been given.

I get communications from our consuls in different quarters to know what is excluded from our opened ports under the head of "contraband of war." Mr. Chase's circular, as printed in certain New York papers, excludes "all liquors." This would embrace ordinary French and other wines, the sole exports of Bordeaux and other towns. Can this have been the intention of the government?

I am, sir, your very obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 161.] Paris, *June* 13, 1862.

Sir: The Mexican complication, so far forth as France's interference is concerned, will, if left alone, soon wear itself out.

The cause of the Archduke Maximilian has literally no support among the French, and but for national pride the expedition itself would be almost universally condemned. Instead of the Emperor availing himself of the services of General Almonte in Mexico, it is getting to be believed that Almonte has availed himself of the services of the Emperor. He has persuaded his Majesty to believe that his presence and influence there would at once revolutionize the country. The whole expedition now resolves itself, as the Mexican consul here believes, into a question whether Almonte can or cannot, with the aid of French influence, be placed, by election, at the head of the government. On this subject, I beg to communicate a fact which may or may not be new to you, but which will, at all events, much complicate the above question.

General Santa Anna, who, notwithstanding his character, has, I am told, more support and followers in Mexico than Almonte, has gone, or is about to go, from St. Thomas to Vera Cruz with a view to present himself as a candidate for the presidency, or dictatorship, against Almonte. The latter, aided by French influence, may succeed in the election which is to be gotten up, but it is very evident that Santa Anna's presence will give trouble to Almonte, and may much embarrass the plans of all parties. The above information comes from one General Wall, who himself is upon the point of leaving (if he has not already left) for Mexico, to take part in current events, on which side I know not. He was himself an old aide-de-camp of Santa Anna's, and Santa Anna wrote to him that his purpose was as above stated.

As yet, I have learned nothing as to the action of the Count Señor Don Felipe Neré del Barrie, the minister of Guatemala accredited to Spain. He did not go directly to Madrid, but left Paris for Rome, where he now is or lately was.

I am, sir, your very obedient servant,

WILLIAM L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 166.]

DEPARTMENT OF STATE,
Washington, June 20, 1862.

SIR: An absence of eight days from the capital has worked an interruption of our correspondence.

Your despatch of May 26 (No. 151) has been received. It directs my attention to an article in the *Constitutionnel*, in which the writer declares that the doubts of the restoration of the Union which he entertained before the capture of New Orleans have not been removed or modified by that striking event. The journal is understood to have a semi-official character, and the opinion which it thus announces is, you think, the same which is entertained by many of the statesmen of France, including the Emperor himself.

The publication thus referred to has not passed unobserved in this country. I can hardly believe that the Emperor, whose influence is so great, whose principles have been understood to be so liberal, and whose sagacity is so generally acknowledged, is sceptical concerning the prospects and destiny of our country. If he is so, I am satisfied that he must have other reasons for his distrust than those which the writer in the Constitutionnel assigns, which are simply an imagined similarity between the present disturbance and the American revolution. This is a struggle of factious leaders in the south to build up a political empire on the foundation of human slavery, in opposition to the sentiments and sympathies of all mankind, without any foreign aid but such toleration as they can wring from foreign states by destroying the materials for their manufactures. The American revolution of 1776 was an organization upon principles of liberty and humanity, long cultivated in the schools of Europe, as well as in the hearts of the people of America, and was the inauguration of a new and beneficent system of civil government, ultimately sanctioned by alliances of the revolutionists with Spain and France, and expected to be acceptable to and to be adopted by all mankind.

However the fact may be, we here have no difficulty in finding an explanation of the incredulity of European statesmen. When our domestic troubles arose those politicians formed their opinions of the probable conclusion by judging us by European, not American, standards, and under the influence of European, not American, interests and sentiments. Republicanism and federalism are, to European statesmen, if not unintelligible, at least impracticable, principles; and durable power on the American continent is, in their esteem, a mere chimera. To them monarchy seems, if not the most beneficent system of government which could be devised, at least the only one which could assure the preservation of national sovereignty, and guarantee public tranquillity and peace. The experience of mankind has not controverted these opinions, so unfavorable to our new system of federal self-government. True, the success of the system itself for seventy years has vindicated it, but the experiment has all the while seemed to require a longer trial in a much wider field. The civil war seemed to Europeans to come seasonably to prove that trial itself a failure, while in the Spanish American republics the working of a similar system has inspired no hopes of its ultimate success. Nor is it to be forgotten that Europeans have not habitually contemplated America as a theatre for the development of society under new and specially adapted constitutions of government. On the other hand, material interests, where they are fixed and strong, affect, if they do not determine, the lights in which nations regard each other. For the last thirty years European nations have regarded America as a continent chiefly appointed to produce supplies of materials and provisions for their manufacturers and to consume their productions, and habit has reconciled us to that apparently merely commercial relation. The insurrection disturbed and threatened to subvert it. It is not strange that European statesmen thought that the United States ought to fall into dissolution, and, indeed, assumed that they had fallen into that condition, on the first organized outbreak of faction. For a time we seemed, at least, to be about to acquiesce in that calamity. We hesitated and examined and disputed, and it certainly was not until after due consideration that the American people, as a mass, announced the conviction that the Union could be maintained, and the determination to maintain it at whatever of cost and sacrifices the occasion should require. Our refusal for a whole year to accept the fate which European statesmen considered not only inevitable but beneficent to us, as well as benevolent to their own countries, has been regarded as simply contumacious. They reluctantly consented to await a trial on our part of an attempt to suppress the insurrection, which attempt they felt so well assured would fail. But, encouraged by our seeming delay, they have hardly concealed their assumption of a right, and even a duty, to arbitrate between the government and its domestic enemies, and so they have measured the period they could allow us for the important trial, and even prescribed the amount of force which the government might exercise in self-defence. It is not strange that the limits thus prescribed were adopted with reference not to our needs or our rights under the law of nations, but to the supposed interests and wants of Europe. Deference to these limits was expected under the fear, if not under menaces, of intervention, to decide a dispute already pronounced unreasonable on our part, and intolerably inconvenient to foreign nations.

It is freely confessed that these assumptions have caused us much embarrassment. They have encouraged the enemies, and tended to divide and dispirit the friends, of the Union.

It was obvious from the first that this government wanted what every government in such cases, and especially a federal republican government, without experience of war and with all its political and social forces energetically at work in the occupation of peace, must need, namely, time—time to reflect, to survey, to prepare, to organize and direct, a defensive civil war.

Happily, that time was gained, and the work of restoration was begun; and it has been prosecuted to the point which assures a complete triumph. The crisis of the country has thus been passed. We have thought it our policy and our duty to inform foreign states at every stage of the affair fully, frankly, and candidly, so that they have understood or might have understood the nature and causes of the contest, the purposes of the government, and its manner of executing them, and might be as well prepared as ourselves for the conclusion which is at hand.

It is by no fault of ours, nor is it more our misfortune than it is theirs, if they do not understand that the United States are no unorganized or blind popular mass, surged by the voice of demagogues, nor yet a confederacy of discordant States, bound by a flaxen bond which any one of them can sever at its caprice; but that they constitute a homogeneous, enlightened nation, virtuous and brave, inspired by lofty sentiments to achieve a destiny for itself that shall, by its influence and example, be beneficent to mankind. This nation is conscious that it possesses a government the most indestructible that has ever been reared among men, because its foundations are laid in common political, commercial, and social necessities, as broad as its domain, while the machinery of that government is kept in vigorous and constant activity, because the power which moves it is perenially derived from the suffrages of a free, happy, and grateful people.

It is not our fault, nor do we alone suffer in the misfortune, if foreign states are unable to see, at this moment, that through the pains and perils of a civil strife which we long strove to avert, and which we have not suffered to degenerate into a social, much less a servile, war, we are successfully readjusting a single disturbing element so as to bring it back again into subordination and harmony with the normal and effective political forces of the republic.

It is the fault of foreign states more than it is our own if they do not now see that we have already so far suppressed the revolution that it can no longer interfere with their rights or even their interests, and so can give no stranger any cause, or even any pretext, for interfering, much less any excuse for lending moral aid or sympathy to an insurrection every day of whose continuance is a prolongation of misfortunes which are felt not only here but throughout the world.

Time is needful for the eradication of prejudice, and experiments, however successful, must be continued until truth is not only firmly established, but is accepted by the general judgment of mankind.

Our responsibilities having ended, we are therefore content that foreign states shall take time to weigh and accept the results of the military, social, and political events which occur here, with all the deliberation which their remoteness from the scene and their long-cherished prejudices shall render necessary.

In three-fourths of the territory over which our Constitution has been extended the federal authority has never been disturbed, and has been peacefully maintained. Throughout the half of the other fourth it is maintained successfully by military power, while at the same time the opposing political authority which has been attempted to be set up there is daily losing ground, vigor, and vitality.

The American people must, and they will, have some system of self-government. The popular passions which faction, in an unhappy moment, succeeded in raising and directing against the government of the Union, are subsiding, and within a year from this time the attempt thus made to overthrow the most beneficent system of government which the world has seen, and the only one which is adapted to this continent, while it holds out hopes of progress to all other nations, will be remembered only as a calamity to be deplored, and a crime never again to be repeated.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 167.]

DEPARTMENT OF STATE,
Washington, June 20, 1862.

SIR: Your despatch of June 2 (No. 154) has been received. While the President regrets that, in your opinion, there is no immediate prospect of success in inducing the government of France to rescind the declaration of neutrality which it adopted last year, he does not at all doubt the fidelity and earnestness with which you have presented the subject; and he has intended to leave, as he still leaves, the prosecution of that object to your own discretion, in which he reposes the utmost confidence.

A change of position by the maritime powers is, in his judgment, essential to an early and complete restoration of commerce between this country and Europe. But the interest of those powers in that restoration is now fully as great as our own. Having submitted our convictions with frankness, and enforced them with arguments derived from a full knowledge of the condition of things in this country, we can now cheerfully leave the subject to the consideration of parties so deeply interested.

It is proper, however, that you should understand that the British and French governments do not at all hesitate to suggest to us continual modifications of a blockade, unquestionably lawful in all respects, with a view to facilitate their acquisition of cotton, while the concessions already made seem to the President to entitle us to the exercise of some reciprocal liberality on their part.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. WILLIAM L. DAYTON, *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 170.]

DEPARTMENT OF STATE,
Washington, June 21, 1862.

SIR: Your despatch of June 5 (No. 156) was received. Since it was written the events in Mexico have taken a new direction. It is not the President's purpose to charge you at present with any communication to the French government concerning them. But it is only prudent to keep you advised of the condition of our affairs there, and of our views of current transactions.

France has a right to make war against Mexico, and to determine for herself the cause. We have a right and interest to insist that France shall not improve the war she makes to raise up in Mexico an anti-republican or anti-American government, or to maintain such a government there. France has disclaimed such designs, and we, besides reposing faith in the assurances given in a frank, honorable manner, would, in any case, be bound to wait for, and not anticipate, a violation of them. Circumstances tend to excite misapprehensions and jealousies between this government and that of France, in spite of all the prudence we can practice. On our part, we studiously endeavor to avoid them. You will, therefore, be fully authorized in assuming that this government does not inspire and has no responsibility for assumptions of a different character made by the press. When we desire explanations from France, or when an occasion shall have arrived to express discontents, we shall communicate directly and explicitly with Mr. Thouvenel through your good offices.

We do not desire to suppress the fact that our sympathies are with Mexico, and our wishes are for the restoration of peace within her borders; nor do we in any sense, for any purpose, disapprove of her present form of government, or distrust her administration. We may have our opinions about the necessity or the expediency of the movements of the late allies, and now the movements of France, in regard to that power. But we are not called upon to retain which, after the explanations received from France, we have no right and no present occasion to enforce.

Mr. Corwin, not having received my despatch announcing to him the vote of the Senate unfavorable to a previous proposition for a treaty making a loan to Mexico, has made a new treaty for a loan of eleven millions of dollars, upon the security of public lands of that republic.

The President will submit this treaty to the Senate, together with the correspondence which has taken place between Mr. Corwin and the Mexican government. But the President will make no recommendation upon the subject. He understands that the treaty conflicts with the previous resolution of the Senate. To recommend it would be to take an appeal, which, in the present condition of things, would be unwise and injurious. The Senate, having the matter before them, as an original question, for their uninfluenced deliberation, will decide it as they shall deem most consistent with the interests and honor of the country. I am not authorized to express any opinion for the Senate, but I may say to you, in confidence, that I know no reason for expecting that that body will reverse its previous decision, although that decision was not in all respects such as the President desired.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Dayton to Mr. Seward.

No. 163.] Paris, *June* 23, 1862.

Sir: The receipt of despatches Nos. 161 and 162 is hereby acknowledged.

Despatch No. 161 was accompanied by memoranda explanatory of the proceedings of the government in reference to certain difficulties existing between Major General Butler and the foreign consuls at New Orleans.

It is only necessary to add that, believing it might be of importance to apprise this government at once of the conciliatory action initiated by the government of the United States, I forthwith submitted the memoranda in question to Mr Thouvenel to be read. He returned it with his thanks, informing me, however, that the text had already been received from his Majesty's minister at Washington.

I am, sir, your very obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &., &c.

Mr. Dayton to Mr. Seward.

No. 166.] Paris, *June* 28, 1862.

Sir: Enclosed you will find a printed translation of a speech by Mr. Jules Favre, on the 26th instant, in the Chamber of Deputies, in reference to the invasion of Mexico, and of Mr. Billault's reply. The latter gentleman (minister without portfolio) is, as you know, the mouthpiece of the Emperor, and his speech is therefore the last and most authentic *exposé* of the purposes of France in regard to Mexico. You will, I presume, see it reprinted in the American papers, though perhaps not in full. I prefer, therefore, to send it, as it is in lieu of a despatch upon the subject.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c., &c.

Speech of Mr. Jules Favre.

The following is a full report of the important debate concerning Mexico on Thursday, Count de Morny in the chair:

M. Baroche, president of the council of state, MM. Billault and Magne, ministers without portfolio; and the other government commissioners were present, as usual.

Several local bills were adopted.

The order of the day was the discussion of the bill relating to the supplementary credits of 1862.

The president read Art. 1, demanding 178,371,382 fr. over and above the credits called for in the budget.

The sections relating to the ministries of state, finance, justice, foreign affairs, and the interior, were successively adopted. On the credits for the war department being brought forward, M. Jules Favre rose and said:

Gentlemen: When the government lately came to demand from this chamber the means of sending assistance to a corps d'armée, arrested by unexpected obstacles, it met with unanimous support; for to succour one's fellow-citizens in danger, and assure the honor of the flag, is the duty of all men, without distinction of party; and in such circumstances the government has no opposition to fear. But a vote of that kind is not a vote of confidence, and we should fail in our duty as the representatives of the country if we did not endeavor to hold back the government from a course which we think fatal. I have no wish to commence an irritating debate, and I think nothing more is now requisite than to obtain explanations from the government as to the resolutions it intends to adopt. Official documents have made known to the country the reasons which determined the government to send an expedition to Mexico last November. If, at a moment when everything combined to make strict economy a bounden duty, a distant and expensive war were untertaken, it was, he considered, undoubtedly indispensable to protect our countrymen threatened by a faithless government, in contempt of all treaties. England and Spain had the same grievances to avenge, and their co-operation, while lightening our expenses, seemed likely to render success more easy and rapid. The treaty of 31st October, concluded between the three powers, clearly defined the object of the combined expedition. Art. 1 stipulated that sufficient forces should be sent to seize and occupy the ports and military positions on the coast. Art. 2 declared that the three powers should not seek any separate advantage, nor exercise any influence on the internal affairs of Mexico affecting the independence of the country, or its right to freely choose its own government. The instructions given to the French plenipotentiaries were in conformity with the spirit of this treaty. They represent the object of the expedition to be the occupation of the Mexican ports, explain the nature of the coercion to be used in case of resistance, and repeat the declaration that the powers will not interfere with the internal affairs of the country. They add, however, somewhat vaguely, that if the sound part of the population, weary of anarchy, should make efforts to constitute a government presenting guarantees of stability, such efforts should not be discouraged. I propose to examine whether our army has been received with sympathy by the sounder portion of the Mexicans, and is supported by men of character and influence. It is impossible to doubt what is meant by the expression "sound part of the population." It can only mean those who would welcome the invaders of their country, and I assert that such persons must be the most contemptible part of the population. What would have been thought of those who, under the convention, should have welcomed the stranger invading France? I do not wish to institute comparisons, but I am justified in pointing out the dangers to which the vague instructions given to our plenipotentiary exposed our flag. Well, the expedition was decided, and France was to send only 2,500 or 3,000 men. Well-founded alarm was soon manifested. It was said that the protection of French interests was merely a programme concealing other projects; that we were going to Mexico to overthrow the established government and erect a monarchy in its place, and the name of an adventurous, though Austrian, prince was mentioned as having accepted such a candidateship. It was in the midst of these doubts that our session began, and you cannot have forgotten the interpellations addressed to the government. You have heard the observations of M. Jubinal, who puts the question plainly: "If you go to Mexico," said he, "to avenge your wrongs, you have justice on your side ; but not so if you mean to impose upon a people a form of government which it does not wish for. If you abuse your power, you commit an act so much the more criminal that it concerns a weak nation that cannot resist—a nation which is perhaps a prey to regrettable divisions, but which has a right to prefer them to slavery." To these just and pointed remarks I shall add a vew others, to demonstrate that the expedition was both impolitic and unjust. It was impolitic, because the greatness of the effort and of the cost was not in proportion to the result aimed at, and because it might lead to serious diplomatic complications, and alter the equilibrium of our alliances. It was unjust, because Mexico, once informed of the claims of France, had offered to negotiate, and had presented substantial securities. By exacting more than the reparation of damages, an attack was made on the national sovereignty of a people. You remember, gentlemen, the reply of M. Billault to those interpellations. He said that we only went to Mexico to protect our citizens, menaced by an anarchical government ; that we desired only a reparation of wrongs; and that we could not be eternally the dupes of a government that deceived us. He added that the expedition was made in common with Spain and England, and he asked us where, in the face of such open facts, we saw anything of a direct convention for the advantage of some foreign power ? Where were the proofs of such suppositions ? The proofs, gentlemen, will be supplied by the events brought about by the policy of the government. I am well aware that M. Billault admitted that our presence on the Mexican coast might give rise to circumstances wherein we could not remain inactive. He thought that the whole Mexican population would rally to our flag and proclaim us its liberators ; and in presence of that spectacle, could we refuse to give military protection to the founding of a new government? [Noise.] Such were the explanations given by the government, and the minister, availing himself of an oratorical expedient, added "Our troops are on their way—are perhaps now at Mexico: why discuss the matter?" Whatever were the sentiments of the chamber respecting that language, it is certain that the expression of them was less open than usual. My own opinion has undergone no change, but I hardly expected to find it so speedily justified by events. Allow me to recapitulate what has occurred. The expedition left in November, 1861, and arrived in the month of December. Just then Vera Cruz fell into the hands of the Spaniards, who had been the first to arrive. The combined army had no ammunition wagons or horses, nor any war material. It was thought that everything of that sort might be found on the spot. There were many faults at the outset of the affair: First, the season was not well chosen. The terrible month of yellow fever, auxiliary to the Mexicans, was already looming in the horizon. It was necessary to use despatch, and that was still possible. But as political action should precede the military one, a proclamation was issued, addressed to the Mexican nation, and thus worded: "Mexicans, the arms of France are open to you! Leave those who oppress you under their yoke: that yoke we are come here to break." Nobody responded to the call, and the proclamation found no echo. The Mexican minister of foreign affairs gave it to be understood that he would only reply to diplomatic reclamations. He added that the combined army might be menaced with yellow fever on the sea-coast, and that he would open the gates of Mexico to the allies on two conditions: 1st, that the claims made should leave the existing government intact; and, 2d, that if the treaty under discussion should not be signed, the troops should retrograde to the coast. All this took place in February, 1862. The plenipotentiaries made a note of their claims, and Count de Reus was authorized to submit them to the Mexican minister. An understanding was soon come to: Mexico agreed to negotiate, and offered for her debt the guarantee of the United States. Thus falls to the ground the objection of M. Billault respecting the perpetual deceit practiced in Europe by the Mexican nation Under these circumstances the convention of Soledad was signed by the plenipotentiaries, stipulating for the opening of negotiations, and for the removal of the allied troops to quarters on high ground, out of the reach of the yellow fever; and such was to be the state of things up to the 15th of April, when the acceptance or refusal of the European powers would have arrived. On that first convention the agreement was broken—the Madrid and London cabinets approving, but that of the Tuilleries disapproving, of the same. And here I must ask why was this? A government ought to give precise instructions to its agents; why, then, was our plenipotentiary disavowed? However it may be, the convention not being ratified, formal promises were still made to execute it. Unfortunately—and this is painful to relate to a French chamber—the chief of the French expeditionary corps thought himself obliged not to keep his promise. He had promised to withdraw his troops to the coast side of the defile in case of the non-ratification of the treaty. He, however, remained on the other side. That officer has given his reason, which I am authorized in calling vague and evasive, by reason of the language of our plenipotentiary at the conferences of Orizaba. To the questions of Sir Charles Wyke, M. Dubois de Saligny replied that he had refused the ratification because he had no confidence; and when asked why he had signed the convention in the first instance, he said that he had no account to render to any one as to his motives, but that, having once signed it, he should have thought himself personally bound to adhere to the treaty, had not the Mexican government endeavored to annul it by every means in its power. Such language is to be regretted; the plenipotentiary should have been more precise and less disdainful in a question where the signature of France was involved. It is, however, certain that our soldiers remained in Mexico in virtue of a non-ratified treaty, and that this non-ratification was the cause of the rupture, and of our own isolation. That is not all. France, after having eliminated Spain and England, has opened her routes to emigrants, to factious citizens, expelled both by armed force and by the national will. Here is a second episode which will give rise to a second and more flagrant rupture. This episode has been the object of a regular discussion among the three powers—a discussion drawn up in a procès-verbal, and published all over Europe. You are aware that when the report was spread about that the old partisans of the defunct government, and notably General Miramon, would join the expedition, the representative of England declared that he would have him arrested and tried for robbing the English legation. Miramon became alarmed, and beat a retreat to Havana: but we took on board our ships General Almonte and Father Miranda, partisans of a clerical and military government, which had been overthrown and replaced by the constitutional government of Juarez. Almonte could not touch Mexican ground without exposing himself to the rigor of the law, so he came in the midst of French troops. Did he come without being sent for? I cannot admit that it was so. Almonte appeared to know the powers with which he was invested, and he declared that he came to support the candidateship of Prince Maximilian. The minutes of the conference say, "General Almonte has declared that he relied on the three powers to change the government into a monarchy, and to name an archduke; that he believed that project would be well received, and might be realized before two months." Almonte was thus the agent of the prince—the broker, as it were, of a monarchical candidate, presenting himself behind foreign bayonets. Was not his pretension calculated to excite much emotion? The representatives of England and Spain said that the convention of London was violated by his presence. Were they wrong? Certainly not. That convention set forth that the powers interdicted themselves from exercising any pressure on the Mexican government. A proscribed and a condemned man—an emigrant—united himself to France. That was evidently to tear up the convention of London. The fact must be also examined as regards the violation of the law of nations and of morality. War is always a cruel extremity; but it is permitted in order to repel force, to avenge an insult, and to assist an ally. If, however, it be undertaken to impose a government which the nation will not have, and to assist the ambitious views of a citizen who has been expelled from his country, it is then a crime. What is to be thought of the morality of a man who lets loose on his country the scourge of a foreign war? For my own part, I cannot restrain the feelings with which my heart is fraught. History has recorded more than one act of that kind, but all who have turned their arms against their country have been branded with the strongest reprobation. There is no principle more sacred than love of one's country and horror of foreign intervention. I do not know what future may be reserved for France. [Loud interruptions.] But I am sure that she will achieve her complete liberty. If she could be called on to support the yoke of a power which would destroy eminent citizens, she would bear it with indignation, and would endeavor to throw it off. But if a liberator presented himself, escorted by Austrian and Prussian troops, it is he whom I should regard as an enemy—[interruption]—and I think I should fulfil my duty in shedding my blood to prevent that insolent auxiliary from defiling the soil of my country. [Movement.] Juarez said, "If the French are with Almonte, I consider it as a declaration of war." It was then that a conference took place, and it was declared that the presence of Almonte was an absolute bar to the further co-operation of Spain and England, and his re-embarkation was demanded. Admiral Jurien de la Gravière refused, and, in consequence, a division between the allies took place. Another cause of discord exists on which I am desirous of obtaining some explanation from the government. Each power had reserved to itself the right of bringing forward its individual claims, and those of France appear to be insignificant; the amount reaching, perhaps, about four millions. At the conferences, the sum first mentioned was twelve millions, and afterwards seventy-five millions. That enormous sum was connected with a transaction known by the name of the Jecker loan, and which it was thought would be recognized by the new government. Juarez was called on to pay that sum, and he refused. He consented to pay the seven hundred and fifty thousand dollars, as stated in former treaties, but not the other fifteen millions of dollars. The house of Jecker was a Swiss establishment, which afterwards became bankrupt, and that is the creditor which France takes under her patronage! The affair of Jecker, which was a scandalous piece of usury, was laid before the French government as a legitimate debt. That affair ought to be cleared up, and the government should declare that it will only exact the payment of sums really due, and not those which are only disgraceful speculations. In my opinion, the only course compatible with the interests and honor of the country is to treat with Mexico and then withdraw. [Murmurs.] France must either do that or make war. If France is not the partisan of Almonte, she has no enemies in Mexico. She has only debtors, unless the words which have been spoken in this chamber have been used only to deceive the public, [murmurs,] for it has been declared that French troops only went to Mexico to protect the interests of their fellow-countrymen. To make war, therefore, is to engage in an enterprise not only difficult, but unjust. What would be the object of such a war? Would it be to avenge a check? We have met with none. The French soldiers have, in the midst of almost insurmountable natural obstacles, heroically supported the name and honor of France, and they might return to their country with the greatest glory. France is doubtless powerful enough to proceed on to Mexico, but is the object to be attained worth the sacrifice? After victory will come responsibility. The stable government that would be established would cause an expense of thirty millions to be inscribed on the Budget; for it would be necessary to keep a force of three thousand to four thousand men in the capital, and perhaps twelve or fifteen thousand in the interior. Such are the sacrifices necessary if the government perseveres in a fatal resolution, and refuses to acknowledge that it has taken a false step. The French government had done so on other occasions; for it stopped short at Villafranca before it had attained the end it had in view. [Murmurs.]

A Voice. We had victories behind us then.

M. J. Favre. I cannot accept any share of responsibility in this affair. I protest against the policy which should compel me to do so, and I demand a prompt solution to extricate France from this predicament. The result of the expedition will be found to have cooled our relations with two neighboring powers; to have excited the mistrust of the United States, and alarmed all the republics of South America. A wise policy consists in retrieving faults, and not aggravating them by obstinacy. Out of evil, however, good may sometimes come. France will, perhaps, be made sensible of the danger of allowing herself to be engaged in great questions of external policy without the consent of her representatives. Has not the chief of the state himself, to whom all authority was given for the protection of order, felt the necessity of having the nation to share his responsibility? Has he not given the representatives of the country pre-eminence in matters affecting the public fortune? Well, all this would be illusory, if it were possible, without consulting us, to engage France in compromising undertakings. I hope this lesson may not be renewed, and that this assembly may not be reduced to vain regrets and powerless wishes. [Applause and dissent.]

M. Billault. Gentlemen, in the patriotic vote which you gave some days ago, M. Jules Favre sees only a vote of necessity, not of confidence. He is mistaken in that view, and I trust the confidence of the chamber will be still greater when complete explanations shall have been given by the government. The government was most anxious to thoroughly explain to the chamber and the country an affair in which the misconception of some and the ill-will of others have strangely disturbed the public opinion of this country, if not of Europe. It is, therefore, its interest, as well as its duty, to make known its motives and intentions. I shall have to trespass for some time on the patience of the chamber, but I am aware that your attention never flags when the interests of France are concerned. [Marks of assent.] In the first place, we have to examine whether things have reached such a pass in Mexico that war is inevitable. It has been said that insufficient and even blamable motives have determined the government. For thirty years past Mexico has inflicted all kinds of injury and annoyance on Frenchmen settled in that country, where trade and industry are the victims of anarchy and the exactions of all succeeding governments, whether reactionist or liberal. I will not dwell upon the anarchy prevailing there, but limit my remarks to the wrongs France has suffered. How many conventions have been successively made since the capture of San Juan d'Ulloa, and all violated the moment the French flag withdrew? What is more, the funds proceeding from the customs, intended to serve as a security, were seized, or rather stolen, by the Mexican government. England, too, suffered in the same way. All was anarchy in Mexico. In six and twenty years there had been above sixty presidents. When the government of Juarez was formed, which claimed to be liberal and constitutional, some faint hope of justice was entertained. M. de Saligny was accordingly sent to Mexico, and a fourth convention was signed, with no better result than the others. For thirty years all treaties have been violated with impunity, and our countrymen plundered and murdered. Under these circumstances, M. de Saligny, in accord with the English minister, had just sent in an energetic protest, when Juarez issued a decree annulling all treaties with foreign governments, and declaring that the produce of the customs assigned to them should be taken by the Mexican administration. The two ministers then made another protest, and M. de Saligny informed us that he had been compelled to cease all relations with the Mexican government. He added that it was impossible longer to tolerate such conduct, and also that the Mexican government attributed our longanimity to helplessness. In September, 1861, the minister of foreign affairs sanctioned the conduct of our representative, instructed him to send in an ultimatum, and withdraw it if it were not executed. This ultimatum demanded the repeal of the decree abolishing all treaties. The Mexican government made fair promises, but as usual did nothing. The English and French ministers, therefore, left Mexico. The question then arose whether England and France should abandon the interests of their subjects. Would any one within these walls have advised the government to submit to such treatment? No, for the dignity of France was engaged; and there are positions in which honor and duty are paramount to all other considerations. [Loud approbation.] The respect due to our flag must never be compromised. Two Americans of the southern States, travelling under the English flag, had well nigh set Europe on fire, and shall not we, after thirty years of insults and wrongs, insist on reparation? The government will not suffer the French flag to be insulted with impunity, either in the Old World or in the New. [Loud approbation.] England thought, as we did, that forcible means were necessary. She had suffered the same wrongs, and latterly a sum of money had been taken from the English legation at Mexico. The man who stole it was tried and acquitted, on the ground that he had not stolen, but merely taken possession of the money. [General laughter.] Spain also had similar wrongs to avenge, and was also determined to obtain redress. Lastly, to cite an authority which will no doubt have more weight with the honorable member who spoke last than any monarchical government, the government of the United States declared that the wrongs it had received from Mexico would justify the occupation of the towns on the coast, and added that such a measure would be favorably received by the population. Thus, the republic of the United States certifies to the fact that the Mexicans must be disposed to receive the protection of a foreign flag. As all conciliatory means have been tried in vain, it was indispensable to obtain a remedy by other measures. But how was it to be done with a country in such a state of anarchy? The occupation of the custom-houses of Vera Cruz and Tampico seemed the simplest course, but that had proved useless, for the Mexicans would not allow imports to go into the interior without paying duty again, and when foreigners complained the only reply was, an increase of duty. [A laugh.] To occupy Vera Cruz and Tampico, and to seize on the customs, was, on the one hand, to seize on nothingness, and on the other to expose the occupants to the disastrous effects of the yellow fever. That plan was, therefore, impossible. There was a precedent for a more energetic course of action. In 1846, under similar circumstances, the United States forces marched on Mexico. There was then in that unfortunate country an appearance of governmental organization, which has since disappeared. After a stay of twelve months the claims were satisfied, and the American army was able to leave. We might think that by similar means the same results might be attained, and that the example of the United States might be followed. But at Mexico we should have found ourselves in presence of a government unable to keep its promises, even if it had the will to do so—of a country plunged in anarchy, and of fifty men who were disputing for power. A long delay might also have been given to Mexico to satisfy the claims made on her, on condition that the people would give themselves a serious government which would respect citizens and laws. It could never enter into the minds of the three powers to impose a government on the people by force. The policy adopted by France is said to have given umbrage to Spain and England. If that were true, it would not be the fault of the French government; but, thank God, that is not the case. Those powers, however they may differ in opinion, never felt more friendly towards France. I have official proofs of that fact. (The minister then read two despatches addressed by the French minister at Madrid to the French minister of foreign affairs, and then continued.) There are two combinations in presence, that of England and of Spain. England would go to Mexico solely to exact the reparations due to her, would remain on the coast, and not interfere with the form of government. Spain, on the contrary, said that nothing would be effected if a government capable of fulfilling its engagements were not established. France proposed a middle course. It would not be sufficient to remain on the coast as England wished, neither was the plan of Spain to impose a form of government considered advisable. If a return to a monarchy in Mexico were possible, and the country expressed its wishes to that effect, France would support them with disinterestedness, but with regard to any particular form of government she had come to no decision. Negotiations were entered into on the subject with the two powers, and the convention of the 31st October was signed. It was admitted that an expedition into the interior might be made for the very purpose of not discouraging the oppressed populations. It was desirable that a firm and liberal government should be founded in Mexico, and in that hypothesis it was necessary to seek what the form of it should be. Certain Mexicans were in favor of a monarchy, and the idea was that a foreign prince would be best suited. France only said one thing: "I declare that I have neither for my country nor for the imperial family any ambition; I wish for no conquest; I will have the reparation which is my due, and I ask the other governments whether they entertain the same opinion." A prince occupying a disinterested situation, who was friendly to France, and who was entitled to general esteem, was mentioned, but only in conversation, and as an indication, and it was so taken by the two other powers. The instructions given by the English government state, that if the Mexican people, by a spontaneous movement, placed an archduke on the throne, there is nothing in the convention of London to oppose it; no pressure was to be exercised on the Mexicans, who were to consult their own interests. The object of the convention is the reparation of injuries suffered; the means is constraint by war. Declaration is made that it will not be limited to the coast, but, if necessary, carried into the interior; the desire of the powers is that there should be a counter-blow on the part of the nation itself. In the supposition that Mexico would manifest a wish to have a stronger and more regular form of government, declaration is made that no power will endeavor to derive any personal advantage. In case of a tendency towards a monarchy, indication is made that a sovereign which would not give umbrage to at least two of the powers might be named. The last indication was only subsidiary. Such is the clear and candid statement of the situation of affairs. There are some persons who find the hypothesis of the substitution of a monarchy for a republic to be shameful. The French government deeply respects the independence of nations and the principle of national sovereignty. The independence of nations is a principle which France has written on her flag, and with her sword on Europe. [Movement.] If we foresee any organization whatever which might take place in a country, it would not be to prepare obstacles to liberty, of which we know the resources and the future. [Hear, hear.] But there is a country which cannot be suspected of any ideas in favor of monarchy—a country which has a great respect for the sovereignty of the people. I allude to the United States. What is the desire of that country? A despatch of its President, of the 12th January, says: "Mexico ought to be a prosperous republic. Is it possible that such a nation should be abandoned to anarchy and ruin without our making some effort to save her? Shall the United States allow that country to destroy itself? A government like that of Mexico which cannot repress such attacks deserts all its duties. It is to Mexico that it is necessary to go and penetrate into the interior of the country to seek for the guilty parties." It is necessary to go to Mexico to seek reparation for the past and guarantees for the future. Mexico is a nation adrift. As a good neighbor the United States government must hold out its hand to pilot her. [Noise.] If it does not do so, there is reason to believe that others will do it. [Renewed agitation.] Gentlemen, I dwell perhaps too much on these facts, [No, no;] but I wish to demonstrate that for all governments there was but one method of obtaining a redress of grievances, that of striking a blow at the heart of the Mexican government by an occupation of Mexico; and but one hope, that of seeing the people rise and manifest its intentions. We have, then, here the first point in the debate clearly established. There is nothing here in common with the rash hypotheses invented by men of imperfect information, who think a great government capable of compromising the treasure and blood of France in pure gaiety of heart. Such ideas will not find favor in this assembly. [Great applause.] Gentlemen, the use of force was decided on, and the three powers sent a combined expedition; Spain sending about 7,000 men, France 2,500, and England a fleet and some marines to be employed for the time ashore. The retreat of the English has been likened to that of the Spaniards. But I cannot admit the resemblance; I do not explain facts, but only point out a difference. Spain, convinced that it was necessary to penetrate to the interior, sent an army. England felt more hesitation, and left the affair in our hands, not wishing to meddle with it. [Noise.] Some English troops had been momentarily disembarked; they were re-embarked long before the disagreements that subsequently occurred. We must do justice to all. I do not blame or condemn any foreign power, but merely state facts; Europe will judge them. The expedition started. Its object was not to resume fruitless negotiations, but to overthrow the phantom of a government, to erect the standard of justice, and to give the country an opportunity of fixing, if it so wished, its own destinies. Instead of that, what took place? The three, or rather four or five, plenipotentiaries met with ideas essentially different. The French agents had clear and formal instructions; England hesitated, not wishing to meddle with the interior of Mexico. The Spanish plenipotentiary, gentlemen, appears still to have very special ideas about Mexico. He believed in the power of Juarez; he put trust in his ministers, and had relations with them; he had not the feeling that dictated the treaty respecting Spanish and French grievances. [Movement] The result of all this was a mitigation of tone. The expedition had arrived to impose its will; it made a pause, and sent to Juarez a sort of ultimatum, which appeared to charge the very government that it was expected to fall with the task of reforming itself. When, in my former reply to M. Jules Favre, I said that we were *en route*, and perhaps even then in Mexico, I was in error; negotiations were then going on with Juarez, and there were hopes of an arrangement Those hopes were never entertained by France. We knew that the word, the signature of men who had employed their ephemeral existence in deceiving foreign nations and oppressing their own, was valueless. [True, true.] France, however, had not the preponderance due to the greatest number of soldiers; Spain had the strongest force; England kept nearly aloof, but had her policy. Under those circumstances, the French plenipotentiaries submitted to—or, more correctly, he should say agreed to—the experiment. It was, indeed, useless; but it was also dangerous. Juarez found that time was precious, and resolved not to lose it. On December 18 he promulgated a decree closing the port of Vera Cruz, and declaring as traitors all who had favored the cause of the invaders. Pardon was granted to all Mexicans, (except those whom the government thought unworthy of it,)—[laughter]—and the government reserved to itselfthe right of judging individual cases. What Juarez feared was, not being obliged to give a promise to pay, but lest his compatriots should return and put themselves at the head of a movement. Gentlemen, when all this was known in France, the French government did not hesitate to blame a proceeding that could only lead to further deception. It knew well that Juarez was counting on the rainy season and the yellow fever as his allies. The expeditionary corps arrived in January, and there was to be no action before April; thus, much time would be lost, and the situation became extremely difficult. Immediately that the government became aware of the false route on which it had entered, it hastened to pronounce its opinion. Gentlemen, I state facts, not for yourselves only, but for the general public. A government like that of the Emperor must clear itself of the charge of compromising the name of France; with ten years of glory behind us, we must not have a cloud before us. [Great applause.] M. Thouvenel wrote to his plenipotentiaries that since conciliation did not succeed, it became necessary to act with energy. Our minister at Madrid found the sentiments of the Spanish government on this subject in exact conformity with our own. M. Calderon Collantes also declared that energetic measures were required, and that Spain, for her part, was quite decided on the point. [Noise; interruption.] An analogous conversation also took place in London between our ambassador and Earl Russell. Lord Russell admitted that a more rapid action would have been desirable; but I must repeat that the English cabinet never abandoned its reserve about the interior of Mexico. Its circumspection on that point has never been caught tripping. [Movement.] Energetic action was then resolved. But whilst this long correspondence with Europe and the internal negotiations were being carried on, Juarez was adopting, with a reckless tyranny, the most violent measures for stifling within the country any opinions hostile to his interests. With this view he issued a decree which was a monument of sanguinary tyranny—the penalty of death inscribed sixteen or seventeen times: Any foreigner found with arms to be sent to the galleys for ten years; any armed Mexican to be put to death! Such was the reply made by the Mexican government to the appeal made by the three powers to the populations. In presence of those facts the convention of Soledad was signed, a convention negotiated by General Prim alone, and afterwards accepted by the plenipotentiaries. But whilst the object of the expedition was to provoke the establishment in another government in Mexico, the first thing done by General Prim was to give a sort of moral recognition to the power of Juarez. He stipulates that negotiations should be negotiated in April; he asks permission for the allied troops to occupy healthy quarters; he promises to retrograde to the pestilential regions if the negotiations fail. Our sick are confided to the proved loyalty of the Mexican government, and the Mexican flag is to float on the forts of Vera Cruz by the side of those of France, England, and Spain. Such conditions were contrary to the policy of the French government; they were very deplorable.

A Voice. Humiliating.

M. Billault. The journals have said that the Emperor's government has demanded of Spain the recall of General Prim; but the Emperor's government is studious only of its own dignity, and leaves to other nations the care of their own. [Great applause.] It has confined itself to disavowing the convention of Soledad as contrary to the honor of France.

A Voice. So it was.

M. Billault. It was necessary to ascertain whether our allies shared this sentiment. M. Barrot wrote that the Spanish government also blamed the convention of Soledad; that the president of the council acknowledged the fault committed, and was ready, if any conservative party made an effort in Mexico, to support it with the moral authority of Spain. M. Barrot declared that the Emperor's government would never allow French soldiers to leave Mexico humiliated. [Hear, hear.] The Duke de Tetuan said that Spain would do as much for her flag, and would shrink from no sacrifice. [Sensation.] Thus Spain seemed to coincide with us as to the convention of Soledad. New instructions were sent off to Mexico. The command of the troops was given to General de Lorencez, the diplomatic direction to M. de Saligny, who was told to make the reparation of French grievances the principal point, and to give moral aid to the establishment of a government offering some security, but not to impose it. We have no wish to impose any particular form of government; all we want is a real government of some kind. In the meantime circumstances occurred which rendered the convention impossible. The French residents were worse treated than ever, and Juarez's sanguinary decree of 25th January was enforced. All Mexicans were threatened with death if they took part in the municipal government of Vera Cruz while the French occupied it. Could such a state of things be endured? (The honorable minister here read letters from General Prim to Admiral Jurien, to the effect that negotiations were useless, and that energetic action was the only course.) These letters were dated 20th and 21st March, but on the 23d, the general again wrote to inform the admiral that he was prepared to take his departure. What was the cause of this sudden change? Why, the presence of General Almonte with the French troops. In his letters of the 20th and 21st General Prim was in favor of vigorous means; but did not the state of things call for some other measures? And was not the French commissioner right in endeavoring to obtain from Juarez a serious amnesty, and in demanding that the Mexicans should have an opportunity of manifesting their sentiments freely? But the resistance of the Spanish commissioner was absolute on this last point. As to the presence of Almonte in the French camp, the French admiral informed General Prim that the Mexican emigrants had not left Vera Cruz under the protection of the French troops with his (the admiral's) consent; in his opinion they ought to have waited for the armistice. It thus appears that both policies were agreed on the necessity of putting down Juarez, but differed on the point of giving the Mexicans an opportunity of making known their wishes. Yet other populations have been consulted in the same way. [Hear, hear.] Were they not aided by the French flag, which, the Hon. M. Jules Favre will acknowledge, was not regarded by them as a foreign flag? Were they not by that flag delivered from tyrannical governments? [Hear.] What you like beyond the mountains you do not approve of beyond the seas! [Loud approbation.] The allied commissioners held their last conference at Orizaba, on the 11th April. From the *procès-verbal* of that sitting, M. Jules Favre quoted only the words of the foreign commissioners opposed to the right of France, but not a word of the two plenipotentiaries who upheld the interests of our country. [Hear.] Surely, in a French assembly, discussing French interests, the opinions of our representatives ought to be held in more honor. [Hear, hear.] When the last conference met, the allied commissioners were no longer agreed. Sir Charles Wyke had always been disposed to treat with Juarez. England seemed then to have forgotten all the conventions violated for twenty-five years past; but I have not to discuss that point. One of our representatives at that conference was Admiral Jurien de la Gravière, and I may here be permitted to render well-merited homage to his straightforward and generous character. Admiral Jurien acquitted himself of the task with the utmost composure, but with a feeling of our numerical inferiority as compared with the Spaniards—they were 6,000, we only 1,200. Well, what said Admiral Jurien, in whose words I am sure you have the utmost confidence? [Yes, yes.] He declared that nowhere had he ever seen such terror, more arbitrary spoliation, or more crushing oppression. And when he thus judged the situation he entirely set aside all projects relative to the Archduke Maximilian. "Monarchy is not the question," said he; "a moral and respected government is the thing wanted; the majority of the population wishes to see an end of anarchy, but dare not speak out, and awaits our arrival at Mexico." And he adds, "It is impossible to treat with a government which allows sanguinary executions, and issues edicts of death: our troops must go to Mexico." I now return to the letters of 20th, 21st, and 23d March. All must have been struck by seeing General Prim, who in the first two letters considered that the vexatious conduct of the Mexican government ought to decide the allies to act, announces in the third his intention of quitting Mexico with his troops. It has been said that the motives of such a determination was that a conference had taken place between him, Sir Charles Wyke, and two Mexican ministers, one of whom was M. Etcheverin, an uncle of the general. [Ah, ah!] No suspicions must, however, be entertained, and General Prim is a man who, setting aside his dissent with France, and whatever may be the feelings entertained of his conduct, must not be suspected. [Noise.] It is my desire, as well as the will of the Emperor, whatever may be our temporary disaccord with two great powers, to observe every courtesy in my remarks. [Hear, hear.] I shall, therefore, refrain from making any insinuations, but let facts speak for themselves. France demanded an energetic reparation, and would not have been sorry to place Mexico in a position to declare herself on the form of government she wished. The allies were all agreed on that point, and everyone co-operated more or less for that accepted object. When we arrived at the practical means, England drew back; and when France persevered in the plan concerted in common, Spain in her turn withdrew. General Almonte is said to be the motive of that retirement. I am astonished at such preoccupation on the part of General Prim, particularly after a previous fact. A general who had performed a much more decided part than General Almonte—Miramon—presented himself on the coast of Mexico. England arrested him, and, without consulting the other powers, sent him back to the Antilles. General Prim complained of such conduct, and his government approved of his having done so, and recommended him to use his efforts to prevent anything of the kind taking place in future. How was it that General Almonte did not meet with similar feelings on the part of General Prim? Why did the latter forget the principle proclaimed by his government? The French troops arrived in Mexico in January; the Spaniards had preceded them, and every one in Europe expected that in the following month the affair would be settled, and that the French flag would float at Mexico. No one ever calculated on diplomatic negotiations of three months' duration. General Almonte arrived at Vera Cruz on the 1st March, with the conviction that he should find his country opened to him, and the Mexican nation restored to liberty. Let it not be said, therefore, that he had been sent from France for the purpose of exciting civil war. There was no occasion for such a war. What France desired was that every Mexican citizen might express his sentiments freely as to the government wished for by the country. So long as General Almonte was under the shelter of the French flag he only issued one proclamation, and that was after the rupture of the negotiations. France only protected him against the decree of the 25th January, which entailed the penalty of death on those who returned to their country. General Almonte was not a proscribed man; he had quitted the country of his own free will Not considering himself safe at Vera Cruz, he followed one of the French battalions into the interior. At Cordova, the commander of that force was called on to give him up, but that officer indignantly refused. General Robli, whose character is entitled to general respect, having been suspected of having had a conversation with the French general during the kind of armistice which followed the convention of La Soledad, was taken with a lasso like a wild beast, and immediately shot. Who after that will say that France ought to deliver up General Almonte? [Numerous marks of assent.]

M. Jules Favre. We demand that he should not follow our army, and that he should be sent back to Europe.

M. Billault. The men with whom you sympathize asked to have him given up to them, and that was consigning him to death. This sympathy seems to me very strange. Is, then, the name of republican powerful enough to excuse all that is wrong as well as all that is right; and is it enough for a man to have republican printed in his hat to enable him to oppress his country?

M. Jules Favre. We abhor all tyrannies, even those that disguise themselves. [Exclamations.]

M. Billault: Tyrannies that disguise themselves are those which recognize the national sovereignty, but only respect it when it obeys them. [Lively applause.] There is no French soldier that would not have thought himself dishonored if Almonte had been given up. [Hear, hear.] No statesman could have recommended it. We were importing into Mexico ideas of civilization and public rights, and could not act in contradiction to them. When the French flag shall float on the walls of Mexico, the generosity of the government will not be in default. An appeal will be made to all opinions, and liberty will be made to triumph. Liberty loves such operations; so does France, and she has protected them with her arms in Italy. [Great applause.] Do not, therefore, give undue prominence to what has been done relative to Prince Maximilian. The main object is to obtain just reparation; the main object is to bring every Mexican citizen to the poll to give his opinion on the tyranny of Juarez. [Applause.] Let the Mexicans pronounce, and if Juarez suits them, so let it be. [Laughter and applause.] To sum up, gentlemen, we have broken the convention of Soledad because it was contrary to instructions; because the government of Juarez, during two months, far from preventing vexations and affronts, has itself authorized them; because, in demanding the delivery of Almonte, it has sought to dishonor our flag. When the convention was broken, the Spaniards retired. But I forgot to say a few words on another motive assigned to the rupture, namely: the pecuniary claims and the ultimatum of our representative. I shall not dwell on these points, gentlemen; but there is a subject that is profoundly painful for the ministers of a loyal government. Calumny is fertile in resources, and employs strange weapons. You say that we have stopped the Times newspaper; it has not been stopped.

A voice. But other papers have been stopped.

M. Billault. That is true, and requires explanation. There exists in Paris, gentlemen, about a score of men, chiefly French, whose business it is to transmit to foreign journals the most odious calumnies against the Emperor's ministers. What can we do? We do not know either the calumniators or the sources of their information. Such matter could not be published in France; it would be speedily and severely repressed; but it is sent abroad, and thence returns to France. And thus does calumny make the tour of Europe. This organization of calumny is odious and abominable, [True, true!] and renders the situation of an honest man well nigh intolerable. Gentlemen, the memorandum of M. de Saligny was in two parts. There was, first, an estimate of twelve millions of piastres to repair wrongs done to our countrymen. Those were very numerous; at Vera Cruz alone there were 300 applications. But you have called this sum excessive. Admitting it for the moment, I may observe that all the claims are to be verified by a committee, that is to say, by a French committee. There is also something else, the Jecker contract. This last has been the object of all sorts of insinuations, based on the despatches of Sir C. Wyke. I do not speak of these despatches, because I do not wish to discuss the English claims. Spain in this matter has been clear and precise. England less so, but she has made no opposition. Let us see what this Jecker affair is. Miramon was still in power. He was at Mexico at the beginning of 1860, whilst Juarez called himself president at Vera Cruz. Miramon, who is not better than Juarez, coined money, laid his hands on all he could, and made a loan with the house of Jecker. He said to Jecker: I will give you fifteen million piastres (75 millions of francs) in bills, chargeable by fifth parts on the customs. Every trader who shall have 100 francs to pay in customs duties shall pay 20 francs in these bills, and you will negotiate them as well as you can. Jecker accepts the 75 millions of francs in bills, and he says that he has paid back three millions of piastres. [Interruption on the bench where M. Jules Favre was sitting.] I shall be glad to reply to the interruption. Jecker issued the bills; traders, some of them French, took them;

it was possible to get them at a discount, and to pay 20 francs with what had been bought for five francs or six francs. You will see, gentlemen, that we had an interest in this situation. A negotiation with the minister of Juarez had been opened before the rupture, and that minister had shown some complaisance. He said he would adhere to the negotiation, begging only that it might be conducted with caution, as not likely to put the congress in good humor.

M. Jules Favre. Read the document which proves it.

Numerous voices. No, no. Do not read it.

M. Billault. I affirm it, and that is sufficient. [Hear, hear.] I affirm that the Mexican minister has admitted the principle of the debt, and said that it should be settled. The honorable minister then read a despatch from M. Thouvenel to M. de Saligny on the subject of the indemnities claimed. Everything, continued the honorable minister, has been clear and precise. It is not the financial affair which has led to a rupture, and cannot furnish any grounds for the calumnies which have been propagated. The financial question will be settled according to justice. A complete difference of opinion existed between the plenipotentiaries as to the policy to be followed. Hopes were entertained between Juarez and Spain of a treaty, which have not been realized As to Sir Charles Wyke, he made a treaty. He obtained all the pecuniary reparations he desired. Knowing, however, the value of such promises, he required guarantees, and there were given to him those of a loan of money promised to Mexico by the United States in exchange for certain Mexican provinces; but will the treaty entered into between the United States and Mexico be confirmed at Washington? We have reason to hope that it will not. The English government refused its sanction to the treaty signed by its representative—[approbation]—as it would be sanctioning the sale of the Mexican territory to the United States. [Hear, hear.] Of the three powers which arrived in Mexico two have left, the English in the first place without any violation of their engagements, and next the Spaniards. We have nothing to say as to the conduct of Spain; you are now able to judge of it. France remains alone with a handful of men, because the flag of France does not willingly draw back, notwithstanding the advice given to do so. In the instructions sent to the representatives of France in Mexico as to their conduct in this new situation, it is declared that is not from the French camp but from the country itself that the political regeneration of Mexico must proceed. A last instruction has been sent to Mexico; the character of which deeply affects the chamber, the country, and Europe. It was given directly by the Emperor when, in accepting that isolated situation, he wished to give confidence and resolution to the soldiers engaged. The Emperor wrote to General de Lorencez: "It is against my interest, my origin, and my principles to impose any kind of government on Mexico; let the Mexican nation give itself any form of government that will suit it. We only ask for sincerity in its relations, and only desire the happiness of that fine country under a regular and stable government." [General marks of approbation.] It is not without astonishment that I heard an honorable gentleman propose his programme—treat, and then retire. What treaty can be obtained from Mexico. Promises might be had, but what reliance can be placed on them? When the honor of France is engaged, every French heart would recoil from such cowardice. [Movement.] What a shame! [Yes, yes.] What! shall the flag of France, which has triumphed over the illustrious, retire without honor from Mexico! I am sure that the patriotism of the learned gentleman did not suggest the advice he gave in the heat of his speech, [A laugh.] You say that we have no enemies, only debtors, in Mexico; but when nations are debtors, and refuse to satisfy their creditors, there are no other judges but God and force. You forget that our patience has been tried for five and twenty years, that all the people of America have their eyes upon us, and that if we withdraw without attaining our object, every Frenchman in the New World must also abandon his interests, and follow in the train of our flag. [Hear, hear.] No! Our honor is engaged, and justice we must have. Let this Mexican government disappear before the face of France, or let it take a more serious form, which may offer some security for the future. We do not wish to establish there one of those governments which only live by foreign breath; we want pecuniary satisfaction for our plundered countrymen—military satisfaction for the honor of our soldiers—diplomatic satisfaction for the dignity of France. If we do not obtain them, if the nation is so worn out that it cannot revive to honesty and order, then we will do ourselves justice, and leave it to its evil fate. But let us have no doubts as to the justness of this war. Let us say that it is just, necessary, legitimate, and let our soldiers be assured that you, as well as the Emperor, give them all your sympathies; that the whole country is at their backs, and that the flag of France will never cease to be the flag of right, justice, civilization, and liberty. [Loud cheers.]

(The honorable minister resumed his seat in the midst of a double salvo of applause.)

The five sections of the war department were then successive agreed to; and the *ensemble* of the bill relative to the supplementary credits of 1862 was adopted unanimously by 256 votes. The sitting then terminated.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 168.] PARIS, *July* 9, 1862.

SIR: On Friday last three despatches from Mexico to the Emperor are said to have arrived—one from Monsieur Saligny, the others from Generals Almonte and Miranda.

The despatch from the first is said to be an able *exposé* of the condition of things in Mexico, and the necessity of energetic action on the part of France. Under its influence it was resolved on Saturday to send out twenty-five thousand men, with a large fleet, made up of four *cuirassed* frigates, and a large number of ships. The fleet, indeed, it is said, will be out of proportion to the size and numerical strength of the armament, although that be a large one, and hence it is inferred it is intended to look at us.

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The constant advance in the market price of that article [cotton] in the United States tends to induce the belief here that our own people, even, have no confidence in the early suppression of the rebellion. The proffer of mediation, it is said, will be the opening, and will be followed up by such course of action as circumstances may render necessary. Our friends here are, therefore, again in excitement as to the future policy of the Emperor. These alarms in Paris and London are, as you know, periodical. Although I sometimes report them to your department, I have not myself been much moved by them heretofore, nor am I now. A proper respect for this government seems to require that we abide its policy as indicated through its official agents. In looking over the ground, I cannot see how any policy hostile to us can be adopted which would not be injurious to France and irreconcilable with the uniform professions of this government made from the beginning. If any change is to be inaugurated, fair dealing would seem to require that it be announced to us in advance. I cannot, however, shut my eyes to one fact; and that is, that those French journals which are looked upon as representing the views of this government have, within the last few weeks, changed their tone and spirit in connexion with the affairs of our country. A number of them are now almost as unjust and unfair in their representations as the London Times itself. This, you may rely upon it, would not be if such course were not, for some reason, agreeable to the French government, or to the leading officials of the government. The European press, and more especially the French, is not irresponsible like our own, and its movements, or the movements of portions of it, are under the constant direction of the ministry of the interior.

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I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 178.]

Department of State,
Washington, July 10, 1862.

Sir: Your despatch of June 12 (No. 160) has been submitted to the President.

The treasury regulations concerning imports at New Orleans do not exclude wines, but only ardent spirits, and this temporarily, for military reasons.

The increased activity of European politicians directed towards effecting some intervention in our affairs, which you have described, has not passed unobserved here. It is to be regretted, because it produces unprofitable resentments among our people, and embarrasses the action of all the governments concerned. The excuses which it employs abroad are not entertained here, because they are unjust in principle, and without ground in fact. If we happen to fail in one of several combined military enterprises, as every belligerent power subject to the chances of war must occasionally fail, it is pronounced abroad to be conclusive against the success of the whole war. If, on the other hand, we gain victory upon victory, with a rapidity and upon a scale such as only the campaigns of the first Emperor of France exhibited, the refusal of the insurgents to render instant and universal submission to the federal authority renders these successes in foreign eyes ineffectual and valueless.

There can be no harm in asking foreign governments and statesmen, under these circumstances, to consider our position, our interests, our purposes, and our character, as well as their own.

We are rightfully here, a nation lawfully existing, widely extended, and firmly established, with peculiarly beneficent institutions, upon a continent separate and remote from that occupied by the nations whose interference with us is so vehemently and perseveringly urged. In maintaining our own integrity, we are defending the interests and the cause not merely of popular government, but of the very institution of civil government itself We have no hostile or interested designs against any other state or nation whatever, and, on the contrary, we seek peace, harmony, and commerce with them all, and, consequently, in desiring to remain undisturbed by them, we are defending the peace of the world.

Our policy in this emergency is a prudent, honest, direct, and generous one. We have raised large armies and a considerable navy. The reduction of Vicksburg, the possession of Chattanooga, and the capture of Richmond, would close the civil war with complete success. All these three enterprises are going forward. The two former will, we think, be effected within the next ten days. For the third we require re-enforcements, which are being rapidly and lavishly contributed at our call. The three hundred thousand additional troops will be in the field in sixty days, and within about the same period we shall have afloat as large an iron-clad fleet as any in the world. The war is becoming one of exhaustion to the insurgents, and they, not we, are hastening forward the rise of a servile population in arms on the side of the government. Under these circumstances, although we deprecate foreign interference, we deprecate it hardly less for the sake of other nations than for our own, and we deprecate it upon considerations of prudence and humanity, not at all from motives of fear or apprehension.

Having always contemplated the possibility of such interference, we shall be found not unprepared for it, if it must come. We have so conducted our affairs as to deprive it of all pretence of right or of provocation. We have interfered with the dominion or the ambitious designs of no nation. We have seen San Domingo absorbed by Spain, and been content with a protest. We have seen Great Britain strengthen her government in Canada, and have approved it. We have seen France make war against Mexico, and have not allied ourselves with that republic. We have heard and redressed every injury of which any foreign state has complained, and we have relaxed a blockade in favor of foreign commerce that we might rightfully have maintained with inflexibility. We have only complained because an attitude of neutrality encouraging to rebellion among us, adopted hastily and unnecessarily, has not been relinquished when the progress of the war showed that it was as injurious as it was ill-advised.

Under these circumstances, if intervention in any form shall come, it will find us in the right of the controversy and in the strong attitude of self-defence. Once begun, we know how it must proceed. It will here bring out reserved and yet latent forces of resistance that can never go to rest until America shall be reconquered and reorganized by Europe, or shall have become isolated forever equally from the industrial and governmental systems of that continent. European statesmen, I am sure, before waging war against us, will consider their rights, interests, and resources, as well as our own. For ourselves, we do not believe that European domination is to be rebuilt here upon the foundation of African slavery.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 183.]

Department of State,
Washington, July 15, 1862.

Sir: The President appreciates the vigilance and the prudence which suggested your confidential despatch No. 164.

It may be enough to say, in reply, that the Comte de Paris and the Duc de Chartres, after a year's service in the army of the United States, in which they have conducted themselves with the utmost propriety and the highest gallantry, have returned to Europe. It is not to be doubted that they carry with them the affectionate gratitude of the American people.

This, however, is a sentiment won by them, not for themselves alone, or even peculiarly, but, as in the case of Lafayette and Rochambeau, it is a sentiment won by them for France.

You need hardly be told that the generous course adopted towards us, in what seemed a critical hour, by the Prince Napoleon, (Jerome,) made an equal impression upon the country, and its best wishes attend him wherever he goes, and whatever may be the sphere of his action.

Although the policy of the Emperor during the contest has not been, in all respects, what we have claimed and wished, you are, nevertheless, not to be told now, for the first time, that it has been interpreted by us in the most favorable light, and every generous, and even any forbearing, word that he has spoken to us personally or by Mr. Thouvenel, has awakened the kindest sentiments among the American people. We have wished so well to France, and to her present government, that we have not suffered ourselves to attribute to the one or the other any of the unfriendly or unfeeling utterances of the press of Paris which have occasionally reached us. It appeared very early after the revolutionary war that the gratitude of the people of the United States for the aid they had received from France in that struggle was a sentiment too strong to allow them to divide themselves into parties upon the question who shall rule in France. That same sentiment lives at this day. We leave that question to Frenchmen, and only desire that, to whomsoever the sway is confided, he may, by ruling France wisely and well, increase her power and advance her prosperity and happiness.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., &c., &c., &c.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 173.] Paris, *July* 17, 1862.

Sir: The receipt of your despatches from No. 163 to No. 175, both inclusive, is hereby acknowledged. Neither of these despatches seems to contemplate a present reply. Their contents, respectively, I have noted, and in due time will communicate the substance of such as are intended to be communicated to Mr. Thouvenel.

* * * * * *

The news from Charleston, followed by that from Richmond, is most disheartening. The prolongation of the war beyond the present season will now, I suppose, be a matter of necessity.

* * * * * *

The Emperor and the court, as well as the diplomatic corps generally, have left Paris, and will not probably return until fall. The legation of the United States is, I suppose, the only one wholly remaining here.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 186.] Department of State,
Washington, July 21, 1862.

Sir: In a recent note to the department Mr. Mercier suggested that as ships-of-war in French ports had a right to purchase supplies from the public warehouses free of duty, it was desirable that French ships in our ports should have a similar privilege. The authority of Congress was, of course, necessary for this. Accordingly, by the act approved on the 14th instant, increasing temporarily the duties on imports, this privilege has been granted, under such regulations as the Secretary of the Treasury may prescribe, to the vessels-of-war of any nation which may reciprocate such privilege towards the vessels-of-war of the United States in its ports.

You will apprise Mr. Thouvenel of this enactment.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Wm. L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Dayton to Mr. Seward.

No. 178.] Paris, *August* 2, 1862.

Sir: I learn unofficially that Mr. ——— states as a fact that France, England, and Russia have agreed to recommend to the United States the cessation of hostilities, and the settlement of their controversy with the south. In other words, they are to offer mediation, not together, but separately. That this comes directly from ———, I have no doubt; but there are so many stories afloat, of this or like nature, coming from him, that I cannot give it full credence; more especially as it would seem to conflict with my general information from other quarters. Still, I report the statements to you.

It would seem to me that you must have some information, beyond what I receive here, as to the views of France, from her minister at Washington. If so, may I beg that you will communicate it? I am sure that I need not say that I ask this information from no idle curiosity, but as something essential to a useful discharge of my duties here. Nothing can be more embarrassing than being in the dark upon matter which may have transpired between yourself and the French minister at Washington. As an illustration of this, the only knowledge I had of the actual purpose of Mr. Mercier's recent visit to Richmond was obtained first from Lord Cowley, the British ambassador, and next, at second hand, from the Emperor. You will, under these circumstances, appreciate at once my embarrassments in falling into conversation with Lord Cowley on this subject. I make this reference, not at all as matter of complaint, but only as an illustration of my meaning when I allude to embarrassments arising from a want of knowledge of what may have transpired, if anything, between yourself and Mr. Mercier. I know and fully appreciate the vast extent of your labors, and it may well be that nothing has recently been communicated by the French government. If so, I beg that you will excuse me for directing your attention to the subject.

I am, sir, your obedient servant,

WM L. DAYTON.

His Excellency Wm. H. Seward,
Secretary of State, &c., &c, &c.

Mr. Dayton to Mr. Seward.

No. 180.] PARIS, *August* 4, 1862.

SIR: In my interview on Friday last with Mr. Rouher, minister of foreign affairs, *ad interim*, he said, in answer to a remark from me, that he did not think it at all probable that England would interfere with us. He asked some questions about our military condition and prospects, and I, in reply, submitted to him your views, as expressed in despatch No. 178.

Although I cannot but fear that your confident expectation of obtaining the three hundred thousand additional volunteers within sixty days may not be realized, yet the general views expressed by you in that despatch seem to me not only very pertinent, but remarkably well and clearly stated.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 194.]

DEPARTMENT OF STATE,
Washington, August 4, 1862.

SIR: I herewith enclose for your information the copy of a despatch of the 2d instant,* addressed to Mr. Adams, respecting the possibility of the recognition of the independence of the States in insurrection against this government, with a copy of the correspondence which took place between Major General Butler and the honorable Reverdy Johnson on the subject of seizure and confiscation; and a copy of a note, of this date, from General Halleck to myself, showing how cotton is coming from Columbus.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

No. 181.] PARIS, *August* 8, 1862.

SIR: You will have seen before this by the debates in the British Parliament, as well as by the announcement in the journals of St. Petersburg, that the rumor I gave you a few days since of an intended mediation in our affairs (growing out of a statement of ——— ———) has no foundation in fact. I may add here that, immediately after the reception of the news of our defeats (as they are called) before Richmond, Mr. Slidell started for Vichy, where the Emperor was then staying. Upon his arrival there, he sought, as I am informed, an interview with his Majesty, which was denied to him. I very much doubt if he has ever, on any occasion, exchanged a word with the Emperor. The newspapers of the United States have made the most ridiculous statements in reference to their pretended interviews at times and places where I was myself present, and where I know Mr. Slidell was not.

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* See correspondence with Great Britain for enclosure.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 196.]

Department of State,
Washington, August 9, 1862.

Sir: I have to acknowledge the receipt of your despatch (No. 176) of the 24th ultimo, accompanied by a copy of your letter of the 15th ultimo to our consul at Marseilles in regard to the case of one Gauthreaux, a destitute citizen of the United States, and to the support of paupers from the United States in foreign countries and *vice versa*. The views expressed in that letter are entirely approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 199.]

Department of State,
Washington, August 13, 1862.

Sir: Your despatch of July 29 (No. 177) has been received. We are at the present moment in a state of uncertainty in relation to the renewal of military operations. Exaggeration of the forces of the insurgents and depreciation of our own have been the busy occupation of too many among us since the disappointment of our expectations at Richmond. It was unavoidable, because it is natural for men, and especially for masses, to be disturbed and demoralized, at least for a time, by the failure of sanguine expectations. You are entitled, however, to the information that in my opinion our forces in the field, although not demonstrative, are adequate to the task of holding the vast territories we have recovered. The new volunteers, 300,000 in number, are beginning to move to-day for the places of rendezvous to reinforce the army in the field, and forty days will suffice to bring forward also the 300,000 militia which have been called for by the President. Within the same time our naval preparations will begin to show important results. Much, however, is dependent on the military operations of the hour, while the preparations for a vigorous campaign are going forward. It is impossible to speculate with confidence on the chances of the war movements which are taking place to-day. I shall, at an hour nearer the departure of the steamer, notice any events which may occur in the interval. I send you an extract relating to France from a despatch which has just been received from Mr. Adams, together with my comments thereupon. It may interest, and possibly the communication may be important to you.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 200.]

Department of State,
Washington, August 18, 1862.

Sir: I write a few words while the mail is closing. General Halleck, upon taking command of the army, made a careful survey of the entire military position, and concluded thereupon to withdraw the army of the Potomac from the peninsula and to combine all our forces in front of Richmond. The measure was a difficult and delicate one. It is believed to have been substantially accomplished without any casualty. Our new levies are coming in in great numbers and in fine spirits. The gloom has passed away from the public mind. Although our arrangements for resuming offensive operations are yet incomplete, we have much confidence in being able to do so speedily and with decisive effect.

The disturbed condition of affairs in New Orleans is giving way slowly, and commerce is reviving there.

Discontents, which naturally enough found utterance in the loyal States in a brief season of despondency through which we have passed, have died away already, and with them the apprehensions of organizations to embarrass the war. It is represented to us that the popular determination to maintain the Union has at no time been as unanimous and as earnest as it is now.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 201.]

Department of State,
Washington, August 23, 1862.

Sir: Your despatch of August 8 (No. 182) has been received.

The information it gives concerning the relations of France towards Mexico is interesting and important. The position of the United States in regard to the war between France and Mexico has been taken, and will be maintained. This government, relying on the explanations which have been made by France, regards the conflict as a war involving claims by France which Mexico has failed to adjust to the satisfaction of her adversary, and it avoids intervention between the belligerents. You will have learned from the press that the Mexican government has negotiated drafts upon the United States based on the treaties which Mr. Corwin negotiated, and which have not been ratified. Some of the drafts have reached this department, and, of course, they were protested. I assume that it is understood in Europe that these drafts are unauthorized by this government, and were made without its knowledge, but certainly it may be well for you to state these facts to Mr. Thouvenel.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 202.]

Department of State,
Washington, August 23, 1862.

Sir: Referring again to your despatch of August 8, (No. 182,) it seems proper that I should inform you that within the past year there has seemed to be a very decided improvement in the sentiments of the Spanish American republics towards the United States. It is needless, and would be, perhaps, unprofitable, to recite the causes which had alienated them from this country, and rendered them habitually apprehensive of ambitious and aggressive designs on our part—designs which, in any case, could be hardly more injurious to those states than to our own country. Recent correspondence of Guatemala with this government especially exhibits the change I have described. The President trusts that you will do what lies in your power to encourage the spirit which that change indicates.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

[Extracts.]

No. 203.]

Department of State,
Washington, August 23, 1862.

Sir: Your despatches of August 2, (No. 178,) August 4, (No. 180,) and August 8, (No. 181,) have been received.

* * * * * *

It is difficult for our people and much more difficult for foreigners to detect the real tendencies of political events during the excitements of this attempted revolution. It found us unprepared, and even unsuspecting and incredulous. When the war had broken out the people, accustomed to peace, very soon became impatient, and a signal defeat, without any compensating success, produced alarm, which was followed by apparent despondency. Europe, in view of these facts, naturally concluded that the contest on our part would be short and hopeless. The country, however, reconsidered, and put forth energies which brought a series of successes which seemed to render a conclusion of the war in favor of the Union speedy and certain. Europe had scarcely time to accept this assurance before a failure, not a defeat, at Richmond, disappointed and disconcerted the sanguine and impatient portion of our countrymen.

The government did not hesitate a day to provide for reinforcing and augmenting the national forces on a scale adequate to the prosecution of the war with greater vigor and certainty of success than before. But a transient gloom had fallen once more upon the national mind, and presses that necessarily sympathize with a morbid public temper, and minister to it day after day, and week after week, continued to deepen that gloom, and to harass the country with fears of disasters everywhere at home, and dangers everywhere abroad. Advocates of extreme and conflicting policies and sentiments came upon the stage, and claimed the public attention with expectations of successful agitation which could have no other effect than to divide the country and deliver it up to the distractions of party spirit. Alarms of intervention were, of course, sounded by the conspirators abroad with much effect. It was very natural, and, therefore, by no means unexpected, that, under such circumstances, our representatives abroad, reading the American heart through the newspapers, as they necessarily must, and not feeling its stronger vibrations as the government here did, should despair of its prompt response to the President's call for three hundred thousand volunteers. All this has now changed. The call is already answered; forty-five thousand of the new recruits are already in the field; a hundred thousand more are marching towards it, and two hundred and thirty-three thousand are in camps of rendezvous and organization. This is an excess of seventy-eight thousand over the three hundred thousand volunteers which were demanded. You have, however, already been informed that the President has called for three hundred thousand militia, to be raised by draft. The time for this draft is fixed for the 2d of September. There is only one question left undetermined, which is, namely, whether the government will accept volunteers for this force also, or insist upon the draft, now found unnecessary.

I do not discourse to-day on the military position. It is a day of uncertainty and suspense, but not altogether unmingled with apprehension. General McClellan has safely retired his great army from the James river, and is rapidly moving it around to reinforce the small force with which General Pope is holding the Rappahannock, midway between this capital and Richmond. The insurgents have brought their main force from Richmond up to confront General Pope, with a purpose of attacking him before he can be joined by General McClellan and by the new levies now coming into the field. The telegraph reports skirmishes, but as yet no battle. The question is, or seems to be, which side can practice superior energy and despatch. The solution of it will probably be known before this paper can leave this department.

You will read of guerrilla demonstrations and partial successes in the west. But the disturbers will find themselves obliged to encounter the volunteers now pouring into that region from the loyal western States, and it may be expected that the Union arms will again be everywhere assuming the offensive within the coming month. Our naval force has destroyed all the insurgents' iron-clad vessels which have thus far appeared, and have just now been augmented by the addition of the Ironsides, which has gone to the fleet at ————. These facts are relied upon as sufficient to satisfy Europe that the resistance of this government to the insurrection is not one of mere impulse, or in any way spasmodic, but it is one of fixed policy and persistent resolution. I am happy to say that it is now found to be in entire harmony and sympathy with the convictions and sentiments of the American people.

It is believed that when the vast character of the contest thus developed shall come to be fully understood in Europe, the uneasy and intrusive spirit that has prevailed there, and excited so much apprehension, will disappear, and that the maritime powers will henceforth regard the American civil war as a conflict which belongs to our own country, and in which they have neither any just motive nor real interest for interfering. If further reasons for this confidence were wanting, they could be found, as I think, in the evidence of an unquiet spirit arising in several of the European states. The President observes these manifestations with an earnest desire that the old world may escape the evils of war, such as we are suffering. He will improve the occasion, so far as it is possible for him to do so, to show that the United States are not agitators, but are really conservative, and devoted to the interests of peace and order throughout the world.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 205.]
DEPARTMENT OF STATE,
Washington, August 25, 1862.

SIR: Your despatch of August the 6th (No. 179) has been received. No further proceeding will be taken, in the direction heretofore intimated by this government, in regard to New Granada, until the views of the French and British governments shall have been received. It is hoped that they will not long be delayed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

No. 185.]
PARIS, *August* 29, 1862.

SIR: I have to-day called the attention of Mr. Thouvenel to your despatch No. 180, in reference to the application of New Granada for assistance in the preservation of the neutrality of the Isthmus and the sovereignty of that country. Somewhat to my surprise, I found that your despatch had not been submitted by the minister *ad interim* to Mr. Thouvenel on his return, and that, in point of fact, he had not yet seen it. He informed me, however, that the same question, substantially, had been presented to him through Mr. Mercier, and that a written reply had been forwarded, some days since, which doubtless has been, or will be, promptly communicated to you. Mr. Thouvenel, however, seemed to think your communication was rather in the nature of a conference as to what you should, under the circumstances, do, than as indicating any fixed determination to act in the premises. He says that, in the view he took, he did not see that it was necessary that you should, under the treaty, do anything at all. That the neutrality of the Isthmus was not in question and the railroad had not been disturbed. He said that whether one party or the other had control of the government of New Granada did not affect the question; that France had not recognized Mosquera or his government, because there was an opposition in arms against him; or, in other words, there was a civil war between opposing parties; that, if the railroad were about to be interrupted or destroyed, he would not think it improper for the United States to interfere; but if matters remained now as they were a month since, when his advices were received, he thought it uncalled for at this time by any treaty stipulation. He referred, too, to the somewhat anomalous position of Mr. Herran, who made the call for interference, and who, he seemed to think, did not represent the government actually in power. He further said that, a few days since, the British ambassador had applied to them to know what view the French government took of this matter, and he had sent him, by way of reply, a copy of his late note to Mr. Mercier; that they had not, as yet, heard what action the British government had taken upon the question.

The above is the substance of our conversation. I should have asked from Mr. Thouvenel (as I had from Mr. Rouher) a written reply, but for the fact stated, that he had already written to Mr. Mercier. If you have occasion to communicate to the government of New Granada the view taken by France, a copy of this note, if asked for, will doubtless be supplied by Mr. Mercier.

I am, sir, your obedient servant,

WILLIAM L. DAYTON.

His Excellency Wm. H. Seward,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 215.]

Department of State,
Washington, September 15, 1862.

Sir: Your despatch of August 29 (No. 185) has been received. It brings Mr. Thouvenel's answer to the suggestion, which you were instructed to make to him on the part of this government in relation to matters in New Granada. You may say to Mr. Thouvenel that his views entirely accord with those which have been adopted by the President.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 219.]

Department of State,
Washington, September 19, 1862.

Sir: Your despatch of the 3d of September, (No. 190,) in which you express so much confidence in the stability of the Union, has arrived just at the moment when General McClellan is driving the combined insurgent armies from the Maryland bank of the Potomac back into Virginia.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 220.]

Department of State,
Washington, September 19, 1862.

Sir: I have received your interesting despatch of September 3, (No. 189.) A republican education has, indeed, made all of us politicians; but it must now be confessed that the same education has also made us soldiers, as cheerful to fight the battles of our country as we are bold to discuss its affairs. I think no nation has ever exhibited such voluntary armies.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 221.]

DEPARTMENT OF STATE,
Washington, September 20, 1862.

SIR: I have received your dispatch (No. 188) of September 3, which is accompanied by a petition addressed to the President by A. Girard, a captain in the French army, who offers to join our military forces with a corps of one thousand men, on condition that their transportation to the United States shall be paid. This paper has been referred to the Secretary of War, who, I doubt not, will bestow due consideration upon it.

Meantime it cannot be improper for me to mention that all foreigners, as well as many of our own citizens, widely misapprehend the manner in which the American armies are organized. They assume that the President has full authority to receive and commission at his pleasure all officers who may tender their services and to accept all masses of soldiers who may be anywhere enlisted, on terms and conditions fixed by himself.

On the contrary, the President, from the very exigencies of the case, charges himself with none of the details of organization. They are devolved upon the Secretary of War, and by his direction executed mainly under the superintendence of the general commanding the national forces, who is constantly at Washington. The regular army, or army proper, is small, and officered mainly from the pupils of West Point, and promotions are made according to seniority or merit, in cases of vacancy.

The great mass of our military forces consists of volunteers. These are raised by the governors of the States on requisitions of the President, in rateable proportion to the federal population. The volunteers choose their own company officers and the field officers of their respective regiments. All these officers derive their commissions from the governors, and vacancies are filled by promotion according to seniority. The President, by authority of Congress, appoints only general officers, quartermasters and paymasters for the volunteer forces. All the care of recruiting volunteer troops is exercised under and by authority of laws passed by Congress, which define the ways, means, bounties, wages, and pensions.

From this statement you will perceive that when an European officer tenders his service with or without a body of soldiers, upon terms and conditions not conforming to the laws of Congress, he makes an offer which is impracticable.

The President in July last called on the governors for 300,000 volunteers, and for 300,000 additional troops to be raised by draft. It is understood that the first mass of three hundred thousand is already enlisted and either in the field or in camp. The other three hundred thousand are not yet drafted because volunteers for the war are coming forward so rapidly as to induce the belief that the draft may be dispensed with. Any foreign officer coming on our shores with a body of men who should then enlist would doubtlessly be received with his recruits by the governor of the State, and the bounty money and wages they would speedily receive would be more than adequate to reimburse the expenses of transportation across the Atlantic. There, is however, no authority anywhere to make contracts in foreign countries for recruits.

One word more. We have become already a martial people. There is competition among our own citizens for every military command in any case of vacancy. The volunteers naturally prefer the command of one who is personally known to them, and who speaks their language, to that of a stranger, who has that language yet to learn. We have many foreign officers, as well as American, already in commission, for whom places are not esaily found;

hence the reluctance of the military authorities to hold out inducements even to meritorious foreigners.

These general statements are the results of my own observations, and are not made upon any understanding with the Secretary of War. When I shall have received his answer to the proposition of Captain Girard it will be communicated to you without delay.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No 222.]

Department of State,
Washington, September 24, 1862.

Sir: Your despatch of September 10 (No. 192) has been received. The exposition of your views in regard to the South American republics, which the paper contains, is entirely satisfactory to the President, and I am happy to say that he is now constantly receiving evidences of an improved and more friendly state of feeling on their part towards the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Wm. L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 223.]

Department of State,
Washington, September 24, 1862.

Sir: Your despatch of September 12 (No. 193) has been received, and the President authorizes me to express his satisfaction with the manner in which you have made the explanations therein mentioned, to Mr. Thouvenel.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c.*, *&c.*, *&c.*,

Mr. Seward to Mr. Dayton.

No. 224.]

Department of State,
Washington, September 24, 1862.

Sir: Your despatch of September 12, No. 194, has been received, and your proceedings in making the explanations, therein recited, to Mr. Thouvenel are approved by the President.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 225.] DEPARTMENT OF STATE,
Washington, September 24, 1862.

SIR: Your despatch of September 9 (No. 191) has been received. The President is gratified with the attention you have given to the instructions contained in my circular of the 8th ultimo, in relation to an increase of immigration. Your valuable suggestions of the desirableness of effecting a reduction of the fares for passage on board of emigrant ships have been submitted to the several chambers of commerce on the seaboard, and I hope that, through their exertions, the measure proposed may be promptly effected.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WM. L. DAYTON, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

No. 179.] PARIS, *August* 4, 1862.

SIR: On Friday last I submitted to Mr. Rouher, minister of foreign affairs *ad interim*, your despatch No. 180, with the accompanying translation of the letter to you from Mr. Herran, minister from the republic of New Grenada. Having stated to him the general contents of these papers, I told him I would leave the same to be read, and would be happy to have, at the convenience of the French government, a written reply. He said that in the absence of Mr. Thouvenel, it would not be possible to give a definite answer, but the subject-matter should have attention immediately upon his return. It is expected, I believe, that he will return this week.

I am, sir, your very obedient servant,

WM. L. DAYTON.

His excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 182.] PARIS, *August* 8, 1862.

SIR: I have not written you for some time past about Mexican affairs, because I have felt that you already understand the intentions of this government in the premises as well as can be gathered from their declarations.

I have no reason to suppose they mean otherwise than as they have heretofore stated. They will get their large reinforcements to Vera Cruz and disembark them after the sickly season, and march to Mexico if they can. They have, however, lost faith, as I am informed, in Almonte, and are not further disposed to jeopard their cause by identifying it with him or his interests. In the meantime I learn from a private despatch (which I have seen) from the minister of foreign affairs in Mexico to ——— ———, that the government of Juarez yet entertains a hope of being able to induce the government of France to negotiate with it, and thus end the invasion. This hope, however, is founded principally upon the mistaken belief that France would not send out to Mexico further reenforcements. If a fair opening shall occur by which she, France, can retire with her honor, her disposition, I think, would be to do so. General Concha, the newly arrived ambassador from Spain at this court, will be received, it is said, at an early day. An attempt is being made through the journals to induce a belief that Spain is willing again to co-operate with France in Mexico. That she wishes to re-establish the friendly feeling and intercourse between the two countries (slightly clouded by the retirement of General Prim from Mexico) is not to be doubted, but I cannot suppose that she will for a moment enter into any new arrangement inconsistent with the original convention adopted in London between the three powers. General Miramon has again left France and sailed, or is about to sail, with his family for the United States.

I have been informed that certain officials of the government of Guatemala, in Paris, have said that it was not, and had not in any event been, the intention of that country to connect itself with Mexico, but that should Mexico adopt another form of government it would probably follow her example. The fact is that the great body of the citizens of Central America (so far as I can judge from their representatives at this court, have a very imperfect idea of what republican government is.

There is nothing specially new or interesting here at this moment. The Emperor's fête, which takes place the 15th inst., is now, by anticipation, attracting the attention of Paris. Great preparations are being made for its celebration. Amongst other matters, the Emperor on that day receives the officers of state, and the whole diplomatic corps dine with the minister of foreign affairs.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 183.] PARIS, *August* 28, 1862.

SIR: An absence for the last few days, on a visit to my family in Switzerland, has interrupted our correspondence. In the meantime (with the exception of 186) your despatches from No. 184 to No. 198, both inclusive, have been received at the legation.

No. 185 contains a copy of your despatch to Mr. Adams in reference to a conference between him and Mr. ——— on the subject of cotton, intervention, &c. No. 194 likewise contains the copy of a most interesting despatch to Mr. Adams, under date of the 2d inst., with certain correspondence between General Butler and Hon. R. Johnson, and the copy of a note from General Halleck.

I am happy to have received the copy of this despatch to Mr. Adams, pointing out in advance such course of conduct as would be agreeable to the government at home in certain contingencies therein referred to. I take it for granted that the rule of conduct prescribed for Mr. Adams will, under like circumstances, apply to myself. I have no reason at present to suppose that there will be occasion for its immediate application, but am happy to be possessed of proper information to meet contingencies.

I had hoped to see Mr. Thouvenel to-day in reference to the despatch about Guatemala, but was notified this morning that the conference with the diplomatic corps would be postponed until to-morrow. That matter will therefore have to go over to the mail by the steamer of next week.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 189.] PARIS, *September* 3, 1862.

SIR: Your despatch to me No. 192 and your confidential despatch to Mr. Adams, No. 322, of which you send me a copy, treat, so far as France is concerned, of the same matter, to wit: the probabilities of the Emperor interfering in the affairs of our country. I have taken occasion to inform you heretofore that I feel myself justified in relying upon the friendly feeling of this country until I shall have some official intimation to the contrary. It is true that at a court where there is a power—a thinking, acting power—*behind* the minister with whom one communicates, we can never feel quite sure of our position; yet I cannot permit myself to be disturbed by the alternation of rumors referred to in the extract from Mr. Adams's confidential despatch, No. 197. I listen to all such reports with the utmost distrust. Paris is full of emissaries, or rather emigrants, (if I may call them so,) male and female, from the south; most of them have come to Europe or remain in Europe to avoid the danger of a residence at home. But while careful to absent themselves, they apparently think of nothing else, and speak of nothing else, but the war, and the certain success of the south. They mix in society, and pick up every rumor afloat on its surface, magnify it, reproduce it, and finally themselves, I have the charity to suppose, believe it. Even Mr. Slidell, as early as last winter, gave to a gentleman in Paris of the highest character, the most distinct assurance, founded, as he said, upon certain knowledge, that the south would be recognized in 60 or 90 days, and advised him to make his business arrangements accordingly; yet at that period, notwithstanding the *talk* in a certain official coterie, there was not even a chance of recognition. The very fact that these rumors of intended interference upon the part of the Emperor are afloat should make us distrust their truth; the Emperor does not do things in that way; he does not take counsel of the world before he acts. His very reticence and the reticence of Mr. Thouvenel, in the midst of these newspaper statements, have sometimes made me uneasy, and I have therefore wished to know what was said by Mr. Mercier at Washington. But there has been at no time, in my judgment, just ground for believing, as reported to you, "that the Emperor has directed Mr. Slidell to instruct Mr. Mason to make another formal appeal to Earl Russell preliminary to his own separate and exclusive action." The very form of the proposition is to my mind evidence of its falsity.

You say (in despatch No. 192) there has not been a week since the war commenced that somebody has not conveyed to you statements implying hostile designs upon the part of the Emperor; this I can well understand. Our citizens, and sometimes even officials, transiently in Paris, who should know better, pick up these rumors, become excited, hurry first to the legation, then write to the department. It is a singular fact that every American citizen abroad thinks himself entitled to know everything that has ever passed between our government and the Emperor, and is very much dissatisfied unless I at once make a clean breast of it. No reliance at all is to be placed upon reports transmitted to you from such quarters; if right at all, they are so by accident.

Nothing has occurred here of any official character, not already reported, to justify the belief that the Emperor intends to interfere with us.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD, *&c.*, *&c.*, *&c.*

Mr. Dayton to Mr. Seward.

No. 190.] PARIS, *September* 3, 1862.

SIR: Your despatches Nos. 199 and 200, with their enclosures, have been received.

These despatches both refer to the same matter, to wit: the military condition of things at home. I am happy to learn that neither the people nor the government has given way to despondency. The north has the *material* for success, moral and physical, and if it maintain its persistent, unshaken resolution, the result cannot be doubtful. I find that American citizens in Europe are more despondent than their countrymen at home. In despite of themselves, they are infected by the atmosphere around them. American newspapers, as I have before said, are, as a whole, little known to the larger portion of the continental press. These last supply themselves with the gleanings of American news from London newspapers, more especially from the London Times. This journal, though in conversation generally repudiated by Englishmen as an exponent of national feeling, is yet, I believe, the best existing exponent of the popular feeling of that country. It is, in fact, as in name, "The Times." Its articles are extensively copied on the continent, and even with those who distrust the paper, and dislike the people, they give direction to public opinion. It thus happens that our citizens abroad have constantly before them but one, and that the darkest and most distorted view of the condition of things at home. They run constantly to the legation for comfort, and it is a pleasure at least to be able to say to them I have had reassuring despatches from your department.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 191.] PARIS, *September* 9, 1862.

SIR: A copy of your circular (No. 19) dated August 8, 1862, in reference to the wages of labor in the United States, was received by me, and, at or about the same time, another copy was received by our consul at this port.

Mr. Bigelow immediately caused it to be published in the French papers. The result has been a perfect "rush" to this legation. All seem to suppose that they are to have not only ample wages when they get to the United States, but their passage over, paid, or in some way provided for by the government. They are of course greatly disappointed, or profess to be, to find the contrary. But it seems to me, under the inducement of high wages thus held out to laborers, and the temptations of our military service with its pay and bounties, a large emigration must take place; and this would be much increased, permit me to suggest, if the government could induce ship-owners to lower the price of passage for emigrants. I make the suggestion in the hope that, with the aid of those familiar with these matters, you may hit upon some plan by which it can be carried out. The exhaustive character of the struggle in which our country is engaged seems to call for some such remedy to supply the depletion; and you may rest assured that nothing will tend so much and so promptly to that end as cheapening the price of passage. If to this could in any way be added the *certainty*, upon their arrival, of immediate employment, the gap in our population created by war and its incidents would be more than filled up by current immigration.

I am, sir, your very obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 192.] PARIS, *September* 10, 1862.

SIR: Your despatches from No. 201 to No. 206, inclusive, have been received.

In reference to the subject-matter of one of these despatches, No. 203, I have heretofore written you a private and unofficial note. It will give me pleasure to cultivate friendly relations with the representatives of the governments of South America at this court, and to do what I can to smooth down any such feelings of distrust or suspicion as are referred to in your despatch No. 202. They cannot but know that the dangers they have heretofore incurred have originated rather in the fillibustering spirit of the south than in any ambitious purposes of the north. The success of the south in its present struggle would be sure to increase those dangers, while the success of the north will diminish them. It will scarcely be supposed, after what has passed, that we shall, in any event, be ambitious of adding much to our southern possessions. Your printed despatch No. 204 contains views and suggestions of which I may have occasion to avail myself hereafter.

Your despatch No. 205 refers to our treaty obligations with New Grenada. The views of this government on that question I have already given in my despatch No. 185, dated 29th of August last.

I am, sir, your obedient servant,

WILLIAM L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

P. S.—I think I have not heretofore acknowledged, as I now do, the receipt of your printed circulars Nos. 18 and 21.

Mr. Dayton to Mr. Seward.

No. 193.] PARIS, *September* 12, 1862.

SIR: Agreeably to your directions in despatch No. 201, I informed Mr. Thouvenel to-day of the circumstances under which the Mexican government had negotiated certain drafts upon the United States, based on treaties negotiated by Mr. Corwin and not ratified by our government, and which drafts were therefore unpaid.

Mr. Thouvenel, it would seem, had not seen the subject referred to in the public journals. He expressed his appreciation of the attention and friendship of the United States in the action of the government and in making the communication above referred to.

I am, sir, your obedient servant,

WILLIAM L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

[Extract.]

No. 195.] PARIS, *September* 13, 1862.

SIR: There have been such frequent references, in the English as well as the American journals, to conferences between Mr. Slidell and Mr. Thouvenel, that I began to think that there might be something important which I should know but did not. In a conversation, therefore, of some length, had with Mr. Thouvenel yesterday, I referred to the subject. I stated that he might have observed I had not for some time past referred to Mr. Slidell, or the efforts at this court of the emissaries of the south; that I had avoided it because, as I understood, they had no official relations with the French court. To this he assented. I then stated, generally, that if any propositions or suggestions had come or should come, from any source, affecting the interests of the United States, and which should be entertained or considered by the French government, I should be thankful to him if he would let me know what they were, that I might make such suggestions as might be necessary. I did this because I had seen it distinctly stated that certain suggestions or propositions as to the modification of slavery in the south had been made and recently renewed, and I felt that if such unofficial suggestions or propositions, which I could not strictly inquire about, were entertained by the government, we were in a worse position in this respect than if these emissaries had been duly accredited and received. Mr. Thouvenel, without giving a direct answer to my suggestions, immediately said that he had seen Mr. Slidell once, when he arrived in Paris, about which we knew everything; that afterwards, about the time that Mr. Mason last applied to Earl Russell, and for a like purpose, Mr. Slidell applied to him; that these were the only occasions upon which he had seen Mr. Slidell, and he much doubted if the latter felt greatly flattered by his reception. He said he was quite sure that Mr. Slidell was satisfied that his arguments had failed to convince him (Mr. Thouvenel) of the propriety of recognizing the south; that the argument of Mr. Slidell for recognition was precisely that which we had used for a withdrawal of a concession of belligerent rights—to wit, that it would "end the war;" that there might be some writing or negotiation afterwards, but that a recognition by France would substantially end the war! He added that he did not believe that Mr. Slidell had ever written to his government all that he (Mr. Thouvenel) said to him on the subject. He furthermore said that Mr. De Leon, ex-consul, &c., (author of a southern pamphlet published here,) and whom he seemed to consider as another southern agent now here, he had never seen at all. The pamphlet then lay on his table. He added that I knew well his sympathies and his acts had been with us from the beginning. This, I am satisfied, has been so. You may have remarked in times past that the subject of slavery, the causes of the rebellion, or the right of secession, have not been in our conferences a subject of general discussion. The truth is, no occasion has arisen to make such discussion needful or proper. I have always been satisfied that Mr. Thouvenel's views on the subject were right. He knows and perfectly appreciates the fact that slavery lies at the basis of the insurrection; that it is not free trade, nor any other of the pretexts or political pretences which are put forth by southern emissaries, that have led to this state of things. I only wish he was as well satisfied of our power to suppress the insurrection as I believe him to be satisfied of our right to do so. * * * *

I am, sir, your obedient servant,

WILLIAM L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 197.] PARIS. *September* 17, 1862.

SIR: I have been especially requested to call your attention to the mode in which telegrams are made up in New York for England and the continent They have for months past been, as is thought, uniformly and unfairly colored against us. The general answer here to our complaint is, they are made up in New York in the office and under the direction of the associated press, and published with the assent of the United States government. The fact is, these telegrams are manufactured from news received in the office of the associated press, but by an employé of Mr. Reuter, of London. He has, if I am correctly informed, no business connexion with any person in the United States, nor is he responsible to, nor supervised by, any person there. He is simply and solely the salaried agent of Mr. Reuter. That many of these telegrams for months past have been wrongfully prejudicial to the United States and its interests in Europe cannot be denied. It is truly said that the current history of the war and of passing events in our country is written for Europe in these telegrams. They are received here always from two to four days in advance of other news. They are at once scattered over Europe, and, if false, the impressions made are rarely corrected. I know that your attention has been heretofore called to this subject from London, and perhaps elsewhere, and am averse, therefore, to troubling you about it.

I enclose, for your consideration, a letter from the Rev. Dr. McClintock, suggesting a remedy.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD.
Secretary of State, &c., &c., &c.

PARIS, *September* 17, 1862.

MY DEAR SIR: You will find in the enclosed envelope No. 1—1. A letter from D. H. Craig, esq., agent of the associated press, New York, to Wilson G. Hunt, esq., in answer to one which I had sent to Mr. Hunt through Mr. Budd. 2. A letter from Mr. Reuter's agent, who works in the office of the associated press at New York, for Mr. Reuter's account. This letter is in reply to certain criticisms of mine furnished through Mr. Hunt.

In envelope No. 2, addressed to Mr. Hunt, you will find—1. A letter of mine to Mr. Craig in reply to his. 2. A memorandum for the operator, noticing his answers to my former remarks, and adding some new criticisms on recent telegrams.

From all these documents you will, I trust, come to the conclusion that our government should appoint some thoroughly intelligent person who knows both Europe and America to prepare telegrams. I would not have Reuter's man either superseded or stopped from sending what he pleases; such a course would make an outcry here. But the government agent should work in the office of this associated press at New York, and should form his telegrams (1) out of the newspapers of the day, (2,) out of the telegrams of the day as received at the office, and (3) out of *special* telegrams furnished him by the government at Washington. His despatches, thus formed, should contain the *truth*, in simple and unexaggerated language. All summaries of official documents, or of anything published or spoken for the press by Mr. Lincoln, Mr. Seward, or other eminent public men, should be *very* carefully made, and should especially include any *anti-slavery* sentiment they may contain, as that sentiment is the chief support of our cause in the public opinion of Europe. As the history of the war is, in effect, written for Europe by telegraph, the operator should always have his past despatches before him when preparing new ones, so as to correct all errors and fill up all gaps.

The telegrams should be sent to Mr. Adams in London, and to you here, with authority to both legations to send copies at once to our principal consulates in England and France, and also to the press in both countries. This will involve expense, but it will be repaid a hundred fold in the results.

Very truly, yours,

J. McCLINTOCK.

Hon. W. L. Dayton.

P. S.—Perhaps it would be better to have the telegrams sent to the *consul* in London and the *consul* in Paris for distribution, as their offices probably afford greater facilities for prompt work of that kind at all hours; or, by paying a larger sum, they might be sent direct from the telegraph office to the legations, consulates, and journals simultaneously. This would, perhaps, be best, as promptitude is everything.

Mr. Dayton to Mr. Seward.

No. 199.] Paris, *September* 18, 1862.

Sir: Herewith I send you a copy of two pamphlets lately issued here—one by Edwin de Leon, in the southern interest, and the other by Edward Laboulaye, in the interest of the north.

On page 12 of De Leon's pamphlet you will see the miserable effort made to explain away the opening of the port of New Orleans.

Monsieur Laboulaye is, as perhaps you know, a distinguished professor in the College of France, avocat in the imperial court of Paris, member of the institute, &c. His lectures the past winter on America drew immense crowds, and were greatly beneficial to us.

On page 44 he pays you a high personal compliment, and on page 59, note B, commences the reprint of a translation of your entire despatch to Mr. Adams on the 28th of May last. The pamphlet is little more than the republication of some newspaper articles by the author, but it is in the highest degree complimentary to our cause and yourself.

In behalf of both I have taken occasion to express my obligations to the writer.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

[Extracts]

No. 200.] Paris, *September* 23, 1862.

Sir: I write this in haste to acknowledge the receipt this day of your circular, dated 4th September, 1862, with the printed letter from the Hon. Mr. Blair, Postmaster General, enclosed; likewise despatch No. 208, enclosing a copy of your despatch to Mr. Adams No. 336; likewise despatch No. 207.

The suggestions by Mr. Blair, as to improvements in international postal arrangements, will be promptly submitted to Mr. Thouvenel, and through him to the proper department here.

* * * * * * * *

I feel much gratified with the full satisfaction which you, in your own behalf and in behalf of the President, have expressed with my conduct in this mission. Certainly, if I have in any respect failed, it has not been for want of proper attention and care. Indeed, I am not now aware that anything could have been done here usefully which has not been done. There is a certain class of people who seem to think diplomacy consists in mousing out and reporting small matters, having really no kind of weight in settling international relations. I have not troubled you with these things, and I am glad of it.

Nor have I troubled you about Garibaldi or Italy or any other matters not directly connected with my mission here. I wish that some other of our officials on the continent could restrain their love of notoriety, and confine themselves to their business. This remark grows out of a letter, which I have just seen, from our consul at Vienna (Mr. Theodore Canisius) to Garibaldi, and his answers, copies of which are enclosed. The sentiments may be all right, but just at this point of time, when Austria and Italy and France are so sensitive, it was scarcely worth while for our consul to throw them in the face of these powers.

I am your very obedient servant,

WM. L. DAYTON.

Hon. WM. H. SEWARD, *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 230.]

DEPARTMENT OF STATE,
Washington, October 3, 1862.

SIR: Your despatch of the 18th of August (No. 199) has been received. I thank you for the attention manifested in sending me the two publications, that of our late consul general in Egypt, Mr. DeLeon, in favor of the treason against the United States, and that of Mr. Laboulaye, in support of the American Union.

Should occasion offer, you will gratify the President by expressing his acknowledgments to Mr. Laboulaye for the inestimable service he has rendered our country at a time which is trying the sincerity of the friends of constitutional freedom throughout the world.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*, *&c.*, *&c.*

Mr. Dayton to Mr. Seward.

No. 206.]

PARIS, *October* 6, 1862.

SIR: Agreeably to request, I have called the attention of Mr. Thouvenel to the case of Mr. Moquardt, an American citizen, resident in Vera Cruz, who complains of ill usage at the hands of certain French officers and soldiers there.

Mr. Thouvenel said he would be compelled to communicate with the French authorities at Vera Cruz before he could give an answer to the complaint. At his request, I left with him your despatch, to be read and then returned.

It is not probable that a final reply to our claim for indemnity, in behalf of Mr. Moquardt, will be given before this government shall hear from Vera Cruz.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 234.]

DEPARTMENT OF STATE,
Washington, October 8, 1862.

SIR: I have read with respect and earnestness the notes of a conversation between Mr. Thouvenel and yourself, which you have sent to me.

Mr. Thouvenel's cordial and friendly dispositions and his candor are appreciated by the President and by this whole government.

Revolutions seldom admit of exact regulation. This insurrection is an appeal by force not merely to reverse a regular popular judgment, but to overturn the tribunal which pronounced it. I admit the importance of moderation on the part of the government. I think that all the world will agree that the government has thus far practiced that virtue to the largest possible extent. It has, however, produced no abatement of the ambitious designs of the insurgents. It is manifest that they prefer a common ruin, a complete chaos, to any composition whatever that could be made under any auspices. Nor does the case admit of offers of composition on the part of the Union. It is a question between the existing and only possible constitutional system of government and a resolution of society here into small, distracted, and ever-jealous belligerent states. Other unusual elements enter into the motives of the conflict, and popular passions inflame them into a white heat. It is impossible not to see that the conflict between universal freedom and universal slavery, which has been so long put off, has come upon us at last in the form of a civil war, and that the parties are marshalling themselves under the banners of the Union and of the insurrection, respectively. Who has ever seen mediation or compromise arrest a conflict of that nature when brought to the trial of arms? No such conflict was ever ended but by exhaustion of one or both of the parties. Does it require a great discernment to see on which side exhaustion must first occur? Does it require much loyalty to our institutions, or much faith in virtue, or much trust in the guidance of a beneficent Providence, to enable us to believe that that exhaustion must be rapid and complete enough to bring about a return of that portion of our people which has been misled to the constitutional government, which alone can maintain peace, preserve order, and guarantee practical freedom to all the members of the state? Where are we now? The Union is distracted, but it is not broken nor even shaken. It still maintains its authority everywhere, with local exceptions, as before. It still maintains its place in the councils of nations. It has only begun to draw upon its resources and its forces. The insurrection is without position at home or abroad. It has nearly exhausted its resources, and it is bringing into the field the last armies available by conscription. No revolution, prolonged without success, escapes the avenger of faction among its movers. That avenger is even now upon the heels of the movers of the insurrection, and it appears with terrors such as failing revolutionists were never before compelled to turn upon and confront. Let any statesman look into the elements of society in the gulf or revolutionary States, and see what else than universal ruin of society can result from longer war against the

Union. What else than the protection of the Union, duly accepted, can arrest that desolation, or restore safety even then to property, liberty, and life.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

[Extracts.]

No. 236.]

DEPARTMENT OF STATE,
Washington, October 10, 1862.

SIR: Your despatch No. 200 has been submitted to the President.

* * * * * * * *

I send you a copy of a despatch which goes out by this steamer, recalling Mr. Canisius, our consul at Vienna. You may read it to Mr. Thouvenel, and give him a copy of it if he should desire one.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

[The above-mentioned enclosure appears elsewhere in this correspondence.]

Mr. Dayton to Mr. Seward.

No. 208.]

PARIS, *October* 14, 1862.

SIR: Your circular, dated September 22, 1862, and the proclamation of the President of the same date, in relation to the abolition of slavery, were received at the legation on the 7th instant.

It is needless to say that these papers are of great interest. They have already been, or soon will be, published throughout the civilized world, and, wherever published or known, will at once fix the attention of mankind.

You may look immediately for the most mischievous efforts from portions of the foreign press to pervert and misconstrue the motives which have prompted the proclamation, and the probable consequences which will follow it. You must not be surprised if another spasmodic effort for intervention is made, based upon the assumed ground of humanity, but upon the real ground that emancipation may seriously injure the cause of the south, and will interfere, for years to come, at least, with the production of cotton.

But whatever may be the motive which prompts emancipation, or the immediate consequences which may follow it, the act will remain, and this cannot fail, in the end, to commend itself to the enlightened conscience of the Christian world.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 211.] PARIS, *October* 14, 1862.

SIR: I was yesterday evening officially notified that Mr. Thouvenel retires from the ministry of foreign affairs, and Mr. Drouyn de l'Huys takes his place. You may recollect that some months since, the withdrawal of Mr. Thouvenel was spoken of, and I reported it to you. It was then supposed that it would originate in the fact that he differed from the policy of the Emperor in maintaining the existing status in Italy, and this seems to be admitted as the principal cause operating now. So little, however, was it anticipated at the present moment, outside of the official circle, that the *Patrie*, a leading journal here (strongly in favor of the south, by the way) which once had, and still affects to have, semi-official relations with the government, made an announcement the very morning following the change, in reference to the subject of a cabinet conference the day preceding, which must obviously have been at direct variance with the fact.

The *France*, a journal started a few weeks since, only, *(strongly opposed to us,)* and generally understood to be semi-official, announces this difference on the Italian question as the specific cause of Mr. Thouvenel's resignation, and says that it will be followed by the return of the present French minister from Rome.

I regret the retirement of Mr. Thouvenel from the foreign department. We lose a friend at an important point. What may be the views of Monsieur Drouyn de l'Huys in respect to our affairs I do not know. He is a gentleman of the highest character, and is universally recognized as one of the ablest statesmen of France. He has heretofore held, as you know, the department of foreign affairs, and acquired much reputation while there. He first discharged its duties temporarily from December 19, 1848, to the 2d of January, 1849, when he was succeeded by the Comte de Tocqueville; again from the 9th of January, 1851, to the 24th of the same month, when he was succeeded by Monsieur Breuier, and, lastly, from the 28th of July, 1852, to the 3d of May, 1855, when he was succeeded by Comte Walewski. Since that time he has been, I believe, in private life.

I should add that he has served as minister of France in England; is well known to the statesmen of that country, and speaks the language with ease and fluency. I have the pleasure of an acquaintance with Monsieur de l'Huys, and have no doubt that our personal relations will be entirely agreeable. His perfect knowledge of our language will, to a certain extent, facilitate our official intercourse.

I am, sir, your obedient servant,

WM. L. DAYTON

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 237.] DEPARTMENT OF STATE,
Washington, October 20, 1862.

SIR: Your despatch of the 2d of October (No. 202) has been laid before the President. It is desirable that the views I am now to express should be understood as official, and that, with such reserve as your discretion may deem proper, they may be made known to the French government. For this reason I do not draw under review the unofficial conversation with Mr. Thouvenel which you have related, but I base these intimations upon information of a general character which has reached this department.

The effect of this information is that Great Britain and France are seriously considering the question of recognizing the insurgents of this country as a sovereign state. Of course, the grounds of such a proceeding must involve a conclusion that the insurgents have shown their ability to maintain a national independence. We now know, although it was for a time studiously concealed from this government and the American people, that so early as the reverses which befel our army in front of Richmond, the insurgent leaders projected and began to prepare a campaign with the very comprehensive purpose of invading the loyal free States by armies which should occupy and permanently establish themselves in the loyal border States of Maryland, Kentucky, and Missouri. In this way Philadelphia and New York were to be menaced, while Baltimore and New Orleans were to be captured, and this capital was to be reduced to capitulation. We know also that the project of this campaign was confidentially communicated to parties in Europe who sympathized with the insurrection, and who became active in furnishing aid, arms, and supplies for its execution. We know further that from a natural impulsiveness, if not from deep design, the emissaries of the insurgents excited very sanguine expectations of the success of their proposed campaign in the principal European cabinets. We have learned further that, besides enlisting under the influence of that excitement many persons of assumed importance as advocates of a recognition of the insurgents, a great pecuniary speculation in cotton was opened to others who might be moved by mercenary inducements to lend their aid to the same conspiracy against the United States. Chimerical as this scheme seemed to calm observers here while it was being developed through the manœuvres of the insurgents, it nevertheless borrowed a certain measure of probability of success from the surprise it excited, from inaugural military advantages gained in the region of Manassas, and from a seeming, though unreal, dilatoriness of the loyal States in sending forward the new levies for which the President had called. The apparent depression thus manifested here of course was observed in Europe, and doubtless it went far to fortify the sanguine expectations of the success of the anticipated campaign which prevailed there. Those expectations thus reached such a height that all Europe was seen actually looking for nothing less than the surrender of Washington and the dissolution of the Union, when it received, through the telegraph, the very different intelligence of the defeats of the insurgents at South Mountain and Antietam. In view of these facts, this government was not at all surprised when it heard, through the despatches of its representatives in the European capitals throughout the months of August and September, that confident expectations were prevailing there of an early recognition of the independence of the insurgents, and that European statesmen, assuming that recognition to be imminent, were benevolently engaged in considering what substitute they could propose to the United States for the loss of their venerated and invaluable federal Union. It does, however, surprise the President that the expectations of a recognition of the insurgents are still lingering in European capitals, in view of the disappointment and failure of the campaign, which by its successes was to prepare them for that hostile measure.

Waiving the temptation to bring military events singly into a tedious review, it will be sufficient on this occasion to say that the military and political situations in this country are in perfect contrast with the imaginary ones which were expected to win the advantages of European intervention. Instead of being in possession of or threatening Philadelphia and New York, and occupying Cincinnati, Louisville, New Orleans, Baltimore, and Washington, the invading armies of the insurgents in the east, in the west, and in the south, are in retreat before the national forces, and as rapidly as possible evacuating all the loyal border States. On the first of July last the government had retained from the first the entire occupation of all those portions of the Union which had not been in the beginning betrayed into the secession movement; and it had also regained so many of the forts, rivers, and positions, which were thus at first betrayed, that, by the general consent of all observers, the revolt was deemed as practically suppressed. The projected insurgent campaign has been put into a train of military execution, and although that train is perhaps not yet ended, enough has occurred to prove the entire failure of all its objects. Not one important strategic point which the government held in July last has been lost. It is still in possession or in control now, as it was then, of the coasts, the rivers, the lakes, the marts, and the forts of the country, and, except by luck and adventure, no enemy of the United States can leave the country, and no ally of the insurgents can enter it. Such is the military situation now.

What are the prospects of the insurgents? Their credit and resources are practically exhausted. With a floating debt of four hundred millions, represented by paper which is at a discount of seventy-five per cent., they have neither received, nor have they the means of raising, a revenue equal to ten millions, in any form, applicable either to the defraying of present expenses or the payment of interest on existing or future obligations. Their armies were raised by conscription, which left them no reserves. Those armies, wasted like our own by the casualties of war, are reduced to a condition of ineffectiveness, and cannot be renewed. Want and distress, hitherto unknown within the political jurisdiction of the United States, are already disclosing themselves in fearful forms throughout the entire region occupied by the insurgents. Industry has ceased, and thrift is lost. Do the leaders even propose a new campaign to retrieve the failure of the one that is approaching its end? No; they are looking out for winter quarters, and are calculating on the chances that foreign intervention may secure for them a peace which they are as yet unwilling to ask, although unable to conquer.

What, on the other hand, is the condition of the government and the loyal people, whose cause it is defending. It has a revenue available in the precious metals of more than a hundred millions applicable to present expenses, and the interest on a national debt of five hundred millions. It is as punctual in all its payments and as solvent as any government now existing or that ever has existed. Its second army, just now entering the field, is larger than the first; and it has a third and even a fourth army, as large as the present one, in reserve, if there shall, unhappily, be occasion for it. The marine force which has hitherto been employed with so much effect was not even a miniature or a model of the navy which is now going forth from its navy yards. Our mines are yielding gold more rapidly than foreign trade can withdraw it from us; and after supplying our own population, including our armies, with bread, we are shipping a surplus which silences the alarms of famine in Europe. Is the national mind unsteady or its tone unsound? Let its alacrity in sending the new levies of six hundred thousand strong into the field in a period of two months answer this question. The people do, indeed, desire peace and repose, as they all along have desired these objects; but the first voice has yet to be raised in demand for peace at such a cost as a loss of the Union, or even of an acre of the broad foundation that it covers. Since the European ideas of the failure of the government were formed a new political event has occurred, which has too much significance to be overlooked. The President, practically with the consent of the American people, has given notice to the insurrectionary slave States that if they refuse after the first day of January next to resume their constitutional relation to their sister States, and persevere in this desolating war, slavery shall, from and after that day, cease within their borders; and national armies and navies are now going forward to make that announcement, if it shall become necessary, a fact. It may be true, as European statesmen so constantly insist, that the slave masters inhabiting the region in insurrection will not submit.

Human nature, on the other hand, will teach those statesmen that, though the masters may persist in refusing the Union, the slaves will not reject their offered freedom. If one needs aid to find out how this new but necessary operation of the war will work, he has only to look at the map of the insurrectionary region, and see that that part of the Mississippi which it embraces is inhabited by a population of whom an average of twenty per centum are white men and all the rest are African slaves. Without design on the part of the government against its most benevolent efforts, the slave masters of the insurrectionary States have brought their system of African slavery directly into conflict with the government in its struggle to maintain and preserve the American Union. They have done this under the influence of a reckless and desperate ambition. If they persist, after the reasonable and ample warning they have received, they must lose the factitious social condition which has been the sole spring of their disloyalty and treason. Are the enlightened and humane nations Great Britain and France to throw their protection over the insurgents now? Are they to enter, directly or indirectly, into this conflict, which, besides being exclusively one belonging to the friendly people of a distant continent, has also, by force of circumstances, become a war between freedom and human bondage? Will they interfere to strike down the arm that so reluctantly but so effectually is raised at last to break the fetters of the slave, and seek to rivet anew the chains which he has sundered? Has this purpose, strange and untried, entered into the counsels of those who are said to have concluded that it is their duty to recognize the insurgents? If so, have they considered, further, that recognition must fail without intervention; that intervention will be ineffectual unless attended by permanent and persisting armies, and that they are committing themselves to maintain slavery in that manner among a people where slaves and masters alike agree in the resolution that it shall no longer exist? Is this to be the climax of the world's progress in the nineteenth century?

The European impulses favorable to recognition of the insurgents are due chiefly to the earnestness with which they have announced their resolution to separate. In this respect they can surpass us. We, the loyal people of this Union, are less demonstrative. We are necessarily so. Time works against the insurgents and in our favor. Reason and conscience are on our side; passion alone on theirs. We have institutions to preserve, and responsibilities world-wide and affecting future ages to discharge; they have none. They are at liberty to destroy, and trust to future chances to rebuild; we must save our institutions, not only for ourselves, but even for them. I trust, however, that, even if the early operations of the government left room for any misapprehension on the subject, the decision and the energies which this government and the loyal people have put forth within the last three months will satisfy Europe that we are not only a considerate but a practical and persevering people. It is time that we should be understood, there. In one sense—a generous one—it is true, as Earl Russell has said, that we are fighting for empire. But the empire is not only our own already, but it was lawfully acquired, and is lawfully held. Extensive as it is, none the less in every part our own. We defend it, and we love it with all the affection with which patriotism in every land inspires the human heart. It has the best of institutions—institutions, the excellence of which is generously and even gratefully conceded by all men, while they are endeared to ourselves by all national recollections, and by all the hopes and desires we so naturally cherish for a great and glorious future. Studying to confine this unhappy struggle within our own borders, we have not only invoked no foreign aid or sympathy, but we have warned foreign nations frankly and have besought them not to interfere. We have practiced justice towards them in every way, and conciliation in an unusual degree. But we are none the less determined for all that to be sovereign and to be free. We indulge in no menaces and no defiances. We abide patiently and with composure the course of events and the action of the nations, whose forbearance we have invoked scarcely less for their sakes than for our own. We have not been misled by any of the semblances of impartiality or of neutrality which unfriendly proceedings towards us in a perilous strife have put on. When any government shall incline to a new and more unfriendly attitude, we shall then revise with care our existing relations towards that power, and shall act in the emergency as becomes a people who have never yet faltered in their duty to themselves while they were endeavoring to improve the condition of the human race.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

No. 213.] PARIS, *October* 21, 1862.

SIR: I have nothing of importance to communicate at this moment, beyond what you will see more fully stated in the public journals. It is now conceded on all hands that Mr. Thouvenel retired from the department of foreign affairs because the Emperor was unwilling to change the statu quo in Italy, and that Mr. Drouyn de l'Huys takes office because his views upon that question better conform to those of the Emperor. It is supposed by many of the journals that this change in the cabinet is merely preliminary to one more extensive. It is said that Messrs. Persigny, Fould, Rouher, and perhaps others of the cabinet, participate in the views of Mr. Thouvenel on this question, and that they, too, must retire; but this last is doubtful. The Emperor will be very loath to part with these men. Comte Persigny is now and has been his personal friend for many years—a friendship commencing in the day of adversity and trial. Mr. Fould is recognized, as you are aware, as the great financier of the empire. His retirement would at once seriously affect the Bourse. When the deficit in the treasury appeared, and was apparently insurmountable, the Emperor last year accepted the plan of Mr. Fould, and placed him at the head of the department of finance. The late report of this minister shows that, notwithstanding the Mexican war, this deficit will not be increased this year. His administration of the finances seems thus far to have been considered successful, and it may be doubted if the Emperor would so soon part from an assistant so useful. Mr. Rouher was the French minister who aided so essentially in the negotiation of the late commercial treaty between France and England—a treaty upon which, it is said, the Emperor greatly prides himself. Still, notwithstanding these matters, it is possible that some of these changes, or others, may be made. The construction of this government is such that little *leaks* out, with any assurance of certainty, in advance; and for the simple reason that the Emperor (reticent as he is) is the sole controlling power. * * * * * * As long, therefore, as he says nothing, there is little known of what is likely to follow.

Mr. Drouyn de l'Huys received the diplomatic corps to-day for the first time. He said he was not yet prepared to discuss any general questions. The members of the corps, therefore, who had business, left with him papers or made suggestions which he said he would examine and answer in future. I told him it would give me pleasure to converse upon the affairs of our country, and left with him to be read your circular or despatch No. 204, and likewise a copy of your late circular, dated September 22, with the President's proclamation. The first of these papers I had not shown to Mr. Thouvenel, because in the course of our conversations his attention had been called to most of the suggestions contained in it, and, as you did not say it should be read to him, I doubted the propriety of doing so. But a new minister coming in, to whom the subject might not be so familiar, I thought it wise, and, under all the circumstances, safest to give to him your views in the condensed form in which they are found in that paper. He said he would examine it with care. I left a copy of the last circular, with the President's proclamation, because they have been so garbled by foreign newspapers that I thought it better he should have in his hands at least an authentic copy. He referred to the unhappy condition of our country; spoke of it as a great source of regret to France; said that our question was a great question, and he should endeavor to study it as soon as possible. With some general remarks in answer from myself, my visit ended.

Mr. Drouyn de L'huys is, in addition to his other merits, a gentleman of fine manners, and his appointment is very acceptable, I find, to the corps diplomatique.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Dayton to Mr. Seward.

No. 214.] PARIS, *October* 23, 1862.

SIR: In view of the numerous statements which we find in the public journals of an intent upon the part of France to take and hold permanent possession of Mexico, I have thought it best to enclose you the within slip. It is possible that the letter of the Emperor to General de Lorencez, which it contains, you may not have seen. In it you will remark that his Majesty reiterates the sentiment so often expressed to us through Mr. Thouvenel. He says: "It is contrary to my interest, my origin, and my principles, to impose any kind of government whatever on the Mexican people; they may freely choose that which suits them best," &c.

This letter was written after the large increase of re-enforcements had been ordered to Mexico; which re-enforcements, by the way, have been, it is said, still further increased. The letter will likewise assure you that, if the future shall show that you have mistaken in any degree the purposes of France in Mexico, you will have acted under warrant from the highest authority.

I am, sir, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

A letter from Vera Cruz, of the 18th September, in the *Constitutionnel,* says:

"Letters have been received from the city of Mexico to the 13th, and for the first time for several weeks we hear something of what is going on in the capital. The greatest confusion prevails in the government since the departure of Doblado, who has retired into his native State, taking with him 1,000 men, a whole convoy of wagons, and a great part of the archives of his ministry. No one exactly knows what his projects are, but the expectation is that he will soon be seen at the head of a party favorable to the intervention. The death of General Saragoza is an irreparable loss for the Juarist party. He was the very soul of the army, and had acquired an authority very rare in this unfortunate country. Uraga, Ortega, and Comonfort are preparing to dispute the vacant post, but neither of them is capable of filling it properly. Articles have been published in the Mexican journals by order of Juarez, in which the French are represented as carrying on a complete savage warfare, pillaging and burning all that falls in their way. Those infamous calumnies have caused great irritation among the troops at Orizaba. Our communications with that place are very difficult, not on account of the enemy, but from the bad state of the roads in consequence of the heavy rains. General de Lorencez has published, in an order of the day, the following letter addressed to him by the Emperor:

"'My Dear General: I learnt with pleasure the brilliant affair of the Cumbrès, and with mortification the check experienced in the attack against Puebla. It is the fate of war to see reverses at times obscure the splendor of success; but that is not a reason for being discouraged. The honor of the country is engaged, and you will be supported by all the resources which you could look for, and of which you may stand in need. Be to the troops under your orders the interpreter of my entire satisfaction at their courage and perseverance in supporting fatigues and privations. However distant they may be, my solicitude is always with them. I approve of your conduct, although it does not appear to have been well understood by every one. You did right to protect General Almonte, since he is at war with the present government of Mexico. All those who seek a shelter under your flag have the same right to your protection. But all that must not in any way influence your conduct for the future. It is contrary to my interest, my origin, and my principles to impose any kind of government whatever on the Mexican people; they may freely choose that which suits them best. All I demand from them is sincerity in their relations with foreign nations, and I only desire one thing—the prosperity and independence of that fine country under a stable and regular government. I renew to you the assurance of my sentiments.

"'NAPOLEON.'

"Such a formal declaration, emanating direct from the Emperor, has produced an excellent effect, and will greatly facilitate what remains to be done. Admiral Jurien de la Gravière, a few hours after his arrival, published an order of the day addressed to the officers of the army and navy, and to the seamen engaged in the Mexican expedition, in which he announces his return, and calls on them to continue to merit well of their country by persevering in the courage and devotedness of which they have given such proofs since their arrival in the country."

Mr. Seward to Mr. Dayton.

No. 240.]

Department of State,
Washington, October 27, 1862.

Sir: I enclose herewith, for your information, a copy of my despatch No. 382, of this date, to Mr. Adams, relative to military events.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

[The above-mentioned enclosure will be found in the correspondence with Mr. Adams.]

Mr. Seward to Mr. Dayton.

No. 229.]

DEPARTMENT OF STATE,
Washington, October 3, 1862.

SIR: Your despatch of September 13 (No. 195) has been received. Your proceedings in calling Mr. Thouvenel's attention to the many rumors circulated by the press concerning Mr. Slidell's advances towards the French government seem to have been very discreet, and they are approved. Without making it the occasion of a formal communication to Mr. Thouvenel, it is proper that you should express in a casual manner to him the very favorable impression which his frank and candid explanations have made upon the mind of the President.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 247.]

DEPARTMENT OF STATE,
Washington, November 4, 1862.

SIR: Your despatch of October 17 (No. 211) has been received. It communicates the fact of the resignation of Mr. Thouvenel, and of its presumed political signification. With the latter this government has no especial concern, though it may be allowed to express the hope that the change will be conducive to the interests of France. The character of the new minister of foreign affairs, Mr. Drouyn de l'Huys, is held in such high respect here as to authorize an expectation that he will be found not only wise in regard to the interest of France, but also just upon all questions which may affect the relations of this country towards that empire. At the same time I feel assured that he will excuse me for asking you to express to Mr. Thouvenel the high consideration with which he is regarded on his retirement from his arduous duties by the President, together with his best wishes and those of our whole country for Mr. Thouvenel's future happiness and welfare—sentiments of which, from the most sincere esteem for Mr. Thouvenel, I am happy to be the organ.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 246.]

DEPARTMENT OF STATE,
Washington, November 4, 1862.

SIR: Your despatch of October 14 (No. 208) has been submitted to the President.

You inform us virtually that those very interpreters of public opinion, who four weeks ago could see no merit in our saving our country because the President seemed to be willing to tolerate slavery to effect that end, now pronounce the preservation of the Union to be equally undesirable because it is contingently proposed to abolish slavery in the insurrectionary States to effect that great end. When inconsistencies like this are practiced in the name of enlightened nations in regard to other states, how fortunate is it that the laws of nature leave it to such states alone, under the favor of God, to regulate their own affairs, and work out their own destinies.

Just about one hundred years ago two great political revolutions began, upon which were largely suspended the interests of the human race. The first was the emancipation of this continent from European authority; the second was the abolition of the European system of African slavery. With certain incidental and temporary reactions, such as are common to every great reformatory movement, the United States have persistently and successfully carried forward these two revolutions by gradual means and no others, never acting hastily nor resorting to aggression against any nation, any interest, or any class of men; and at the same time never shrinking from needful self-defence when they encountered unprovoked violence. Although Europe seems to be falling back to the very ground which it held in regard to both of these revolutions when they began, the United States will, nevertheless, steadily persevere with their habitual energy and moderation in the tasks which the Almighty seems to have allotted to them, conscious that though the labor and the sacrifices are theirs, the benefits will belong to mankind.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 245.]

Department of State,
Washington, November 4, 1862.

Sir: The steamer having been detained by adverse winds, the incoming mail arrives just at the moment when the outgoing one is being closed. A special notice of your despatches must therefore be delayed.

The military and naval movements in all directions are onward and satisfactory. Those who in Europe are reckoning that the situation is to remain unchanged will discern their error in time, it is hoped, to change the policy they seem now to be pursuing.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Wm. L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 248.]

Department of State,
Washington, November 10, 1862.

Sir: Your despatch of the 21st of October, No. 213, has been submitted to the President. Your observations upon the personal change which has occurred in the French ministry, and the motives and probable fruits of that measure, are very interesting and instructive. Removed so far from the theatre in which France acts her conspicuous part, and yet attached to that country, under all circumstances, by memories of national kindnesses and sympathies, we are content with believing that the Emperor understands the interests of the nation; and hoping that all his measures may redound to its prosperity and advancement, I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Wm. L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 249.] Department of State,
Washington, November 10, 1862.

Sir: Your despatch of October 23 (No. 214) has been received. The President is pleased with your proceeding in transmitting to me a copy of the letter written by his Majesty the Emperor to General De Lorencez, on the subject of the war in Mexico.

It is hardly necessary to inform you that this government has not attached any such importance to the speculations of the European press as to apprehend that the government of France combines any hidden design against the United States with the military operations it is carrying on in Mexico. To speculators in the political field everything seems probable. But those who know how much of talent, wealth, energy, and force any single military movement, however simple, either at home or abroad, exacts, and how wrong and how dangerous it is to undervalue obstacles and resistance, will be able generally to presume ninety and nine out of one hundred of all the designs attributed to any great power improbable because they are impracticable. There are many people in every country who are reckless of war, its costs, its hazards, and its sufferings. I think that, on the other hand, there is no one enlightened state on either continent that does not desire to avoid war so long as it can safely preserve peace.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Wm. L. Dayton, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

No. 220.] Paris, *November* 6, 1862.

Sir: The receipt of your circular No. 25 and of despatch No. 237 are hereby acknowledged.

I have to-day had a conversation of some length with M. Drouyn de l'Huys in reference to our affairs. I told him that circumstances were such as to induce me to ask him distinctly whether any action was in contemplation by France, or by France conjointly with other powers, in reference to the condition of things in our country. He said no; that everything remained as it had done for some time past. That France, in common with the other powers of Europe, very much regretted the war and its continuance, but they had no purpose to intervene or interfere in any way. I then said to him I had seen it stated that France, England, and Russia were conferring upon the propriety of offering mediation. He said that the wish that the war could be ended, or that something could be done, with the assent of the belligerent parties, had been spoken of, and it was yet spoken of, but nothing had been resolved upon. In further conversation he said that France reserved to herself the right to express this wish to the parties if it should be thought advisable to do so, or that good would grow out of it. I told him that this at once brought us back to the starting point; that the expression of such wish would be, I presumed, but an offer of mediation in another form. He said no; if there were any word which could express *less* than "mediation," that such word should be used in its place.

To test the character of this offer or suggestion, which he reserved to himself the right to make, I said: suppose your offer or suggestion, if made, shall be refused, what will be the consequences? He said, "nothing;" that we would be friends, as we had been before. I told him that I had just seen it stated in the English press that some such offer of mediation was to be made by the three powers, and, in the event of our refusal to accept it, the independence of the south was to be acknowledged. He said that was not so; that no such consequences would follow a refusal upon our part; that things would remain as before. I told him that we should look upon an acknowledgment of the south as but a form of intervention. To this he assented, and said they did not think of intruding into our affairs in any way, or interventing in any form; that their intent would be comprised in the expression of a wish to be useful, if it could be done with the assent of both parties. I told him that the Emperor, at an early day, had expressed such wish, and that he had been willing to act the part of a friend between the two, if they should mutually request it. He said that such was yet his disposition, and nothing more, except that the calamities of this civil war had increased and strengthened the wish on his part.

I may add that I said to M. Drouyn de l'Huys, *unofficially*, however, as I told him, that such an offer, if it should even be made, would come to nothing.

The above was the gist of the conversation, although other matters were embraced in it of which I may write you hereafter. As a whole, the conversation was very satisfactory, and I send it to you at once.

I am, sir, your obedient servant,

WILLIAM L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Dayton.

No. 258.]

DEPARTMENT OF STATE,
Washington, November 21, 1862.

SIR: Your despatch of November 6 (No. 220) has been received.

The President is very well satisfied with the explanations Mr. Drouyn de l'Huys has given to you of the views of the Emperor in regard to American affairs. The exposition of the views of this government, which you gave to the minister for foreign affairs in return, is approved. You may communicate to him the substance of this despatch.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

Mr. Mercier to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, December 7, 1861.

SIR: I have received the note you did me the honor to address to me, dated November 21, on the subject of a desire expressed by a number of French settled at the city of New Orleans to leave that place, and to return to Europe without being hindered by the blockade. I thank you for the favorable inclinations you have been pleased to show under these circumstances in favor of those of our nation. To put them in the way of profiting with the least delay of this benefit, I hastened to communicate your reply to the admiral commanding the naval forces of his Majesty in the Gulf of Mexico, and he has just made known to me that the number of French desiring to embark is too considerable to be transported on a vessel-of-war. He therefore suggests to me, as the only means of meeting their wishes, to send a vessel to New Orleans which shall take on board a certain number of delegates of our nation, who shall go to Havana and there charter and equip neutral vessels, which shall proceed to New Orleans under the supervision of a vessel-of-war, and there receive the Frenchmen and their families, after they shall have fulfilled all the conditions which you have indicated to me, and conformed to the obligations imposed by the most strict neutrality.

I need not add, sir, that if this plan merits your approval you may rest assured that it will be executed on the part of his Majesty's officers with the most scrupulous care.

I profit by this occasion to repeat to you, sir, the assurance of my high consideration.

HENRI MERCIER.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Mercier.

DEPARTMENT OF STATE,
Washington, December 11, 1861.

SIR: I have the honor to acknowledge the receipt of your note of the 7th instant, and to say, in reply, that this government readily accedes to the suggestion you have made in regard to the removal of French citizens from New Orleans to their native country. Any French ship-of-war that you may designate will be at liberty to proceed to the bar of the Mississippi and take on board a convenient number of French subjects, who shall be delegates of the French subjects residing there, and convey them to Havana, where they may charter, engage, and equip vessels of any nation friendly to the United States, and return with them to the bar of the Mississippi, and there receive and convey thence to France any French subjects, with their families, of the same class, and their private personal effects, the equipment, engagement, and charter of such vessels, and the embarkation and departure of such vessels with the returning emigrants to be conducted under the supervision of the officer of the French ship-of-war; it being understood that he will take care that this proceeding shall not be made in any way a means for commercial transactions of any kind, or for the conveyance of any political despatches or correspondence affecting this country, and especially any such correspondence or despatches favorable to the existing insurrection and hostile or injurious to the government of the United States.

When you shall have informed me of the naval vessel selected, and her commander, instructions will be given to the blockading squadron to facilitate his operations.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. HENRY MERCIER, &c., &c., &c.

Mr. Mercier to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, December 23, 1861.

SIR: Upon referring to the note which you did me the honor to address to me on the 11th of this month on the subject of the embarkation of a certain number of French families who desire to leave New Orleans, I hasten to inform you that the admiral commanding the naval forces of his Majesty off the coast of the United States and among the Antilles has designated for the mission agreed upon between the Department of State and this legation either of the two war steamers whose names follow: The Lavoisier, commanded by Mr. Ribonert, captain of a frigate; the Milan, commanded by Mr. Clorie, captain of a frigate.

It is not for the admiral to determine precisely at this moment which will be the one that will go to New Orleans, as the selection must depend on the position of the ships of his division which are now in the waters of the Gulf of Mexico; but in any event, it can be only one of the two vessels above designated. I have, then, the honor to request you, sir, to be so good as to expedite the orders necessary for the blockading squadron, so that one or the other may be permitted to fulfil her mission.

I seize this occasion, sir, to renew to you the assurances of my high consideration.

HENRI MERCIER.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

Mr. Seward to Mr. Mercier.

DEPARTMENT OF STATE,
Washington, December 31, 1861.

SIR: Adverting to your note of the 23d instant, designating a naval vessel for the purpose of taking certain French families from New Orleans, who are desirous of returning to their native country, I have the honor to inform you that a translation of the note has been transmitted to the Navy Department, with a copy of my note to you of the 11th instant, and that instructions have been given to the flag-officer of the Gulf blockading squadron, William W. McKean, in accordance therewith.

I avail myself of this occasion to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. HENRY MERCIER, &c., &c., &c.

Mr. Mercier to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, January, 1862.

SIR: H. E. M. Thouvenel wrote to me lately to give my attention to the grave considerations which are pressed upon the government of the Emperor by the ills of every kind which weigh upon our commerce and our industry in consequence of the present condition of things in the United States, and has pointed out to me, among others, those which result to our merchants from the interruption of all postal communication with the States subjected to blockade by the federal forces. Upon this subject he cited to me, for example, the fact that important French houses, occupying the best conditions as to solvency, would suddenly find themselves exposed to inability to honor their engagements, by failure of the reception of the heavy remittances due to them from their correspondents established in the southern States, the aggregate of which for the city of New Orleans alone amounts to, at least, six or eight millions of dollars.

I cannot doubt, sir, after the promptitude full of kindness which you showed in facilitating to the Frenchmen who needed it the means of leaving New Orleans, that you can be indisposed to give to a condition so painful all the alleviations which circumstances admit. I shall appeal, then, with confidence to your kind attention to an arrangement which might achieve the object to a certain degree, while waiting for affairs to resume their regular current, and which appears to me to contain nothing contrary to the purpose which the cabinet at Washington is pursuing.

This arrangement would consist in authorizing the consuls of the Emperor to receive and deliver, *upon their responsibility*, the correspondence addressed to our countrymen, when, after having perused it, they shall be convinced that it was entirely commercial, and had no relation to any operation which might lead to violation of the blockade. This correspondence should be forwarded, either by the legation or the consulate general at New York, under the seal of office, to our consuls at New Orleans, at Charleston, and at Richmond, and by those to the consulate general at New York, and sent on by vessels-of-war along with the *regular* official correspondence.

It seems to me, sir, that these conditions, which, with all those which it may please you to add, would be observed with most scrupulous care, would suffice to give to the federal government all the guarantees it can desire and they will admit of, at the same time it would in no way impair the efficiency of the blockade, to mitigate the embarrassment it inflicts upon those of our nation.

I embrace this occasion, sir, to renew to you the assurances of my high consideration.

HENRI MERCIER.

Hon. WM. H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Mercier.

DEPARTMENT OF STATE,
Washington, January 10, 1862.

SIR: I have the honor of acknowledging your note, in which you speak, under instructions from Mr. Thouvenel, of the inconveniences which weigh upon French commerce and industry in consequence of the present condition of things, and especially those evils which result to French merchants from the interruption of postal communications with the States subjected to blockade by the government of the United States.

This communication is so important that I shall find it necessary to submit it to the President for his instructions, as well as to take the opinions of my associates in the cabinet.

I pray you to be assured, however, that no unnecessary delay shall be allowed to occur in reaching a solution of the questions you have proposed.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. Henry Mercier, *&c., &c., &c.*

Mr. Thouvenel to Mr. Mercier.

[Translation.]

No. 2.] Department of Foreign Affairs,
Paris, January 19, 1862.

Sir: I have received the despatch which you have done me the honor to write to me, numbered 77, which confirms the news of the restitution of Messrs. Mason and Slidell.

You already know what has been the satisfaction which the government of the Emperor has derived from this. I now do myself the pleasure of attesting that the communication which you were instructed to present to the cabinet of Washington was received in the same spirit of cordial frankness that inspired it, and that the government of the Emperor was not mistaken in its expectation of finding the United States maintaining that position upon which they have been a long time in accord with France in defence of the same principles.

Receive, sir, the assurances of my high consideration.

THOUVENEL.

Mr. Henri Mercier,
Minister of France at Washington.

Mr. Thouvenel to Mr. Mercier.

[Translation.]

No. 4.] Department of Foreign Affairs,
Paris, January 23, 1862.

Sir: I am in receipt of the despatch you have done me the honor to write to me, (No. 79.)

You know, without doubt, already the opinion of the English government on the system which the cabinet of Washington seems to have adopted for closing the ports of the south, and of which it has made the first application to that of Charleston. You know, consequently, how much the British cabinet shows itself averse to this manner of making war. Its feeling is very lively in this respect; and, according to what Lord Cowley has told me, I have room to think that new instructions will be sent to Lord Lyons that he must insist on his precedent observations on this subject. I cannot therefore dispense with informing you how we judge, on our part, the measure to which the federal government has decided to have recourse. Until now what we know of the proceedings put in usage at Charleston does not sufficiently advise us about the obstructions which they may definitively oppose to the frequenting of that port by foreign navigation, so as to be able to determine upon the act by itself; but there is not the least doubt in our mind about the objections which, on principle, are called out by the expedient put in practice by the cabinet of Washington, in view of meeting, as it seems, the difficulties it would experience in maintaining an effective blockade of the ports of the south. Without dwelling on the thought that it would be inadmissible for any party thus to evade an obligation at this day by general consent imposed on every belligerent, it is impossible not to comprehend that measures such as that treated of are little in harmony with the evident tendency of all governments, and of the United States themselves, up to this time, to seek the means of restraining more and more the injuries and the ills which war brings with it. It would be vain to attempt to dissemble that the closing by such unwonted means of ports actually in a state of blockade would effect in a manner irremediable the general interests of trade; that it would not be on the enemy only that an injury would be inflicted, authorized in regard to him by the laws of war, but on all neutrals, who would be affected at the same moment.

It would be, in fact, to interdict to them, not merely momentarily and during the pending of hostilities, but in a permanent manner, and after the re-establishment even of peace, access to a coast where they ought to expect to find (the war once ended) both the privilege again to hoist their commercial flag, and also ports of refuge, whose preservation interests in the highest degree the general security of navigation.

Let the question be examined, either in accordance with the principles which govern blockades, or with a view to the consequences which the employment of the coercive measures, such as those essayed for the first time at Charleston, would entail upon the future, the impression is the same: we are unavoidably led to regard these measures as an abusive extension of rights which international regulations recognize as belonging to a belligerent. I do not fear to say that this opinion will certainly be that of all governments which have it at heart not to see war resume the destructive character which it has had at other epochs, but which is so contrary to the progress of modern civilization. I will add that, besides the mischievous effect produced on public opinion by the measures on which I have thought it necessary to address you, they could not, if repeated, but prejudice very seriously the cause even of the Union.

It is not my intention to prescribe to you any steps analogous to those which Lord Lyons has already taken, or will repeat. I desire only that you should have a frank explanation with Mr. Seward, when the occasion may offer, of what we think about the much to be regretted expedient suggested to the cabinet at Washington by circumstances, but whose ill consequences cannot now escape his penetration.

Receive, sir, the assurance of my high consideration.

THOUVENEL.

Mons. Mercier,
Minister of France at Washington.

Mr. Seward to Mr. Mercier

Department of State,
Washington, February 7, 1862.

Sir: I cannot deny myself the pleasure of expressing to you the gratification with which the President has received the cordial assurances of good will and satisfaction in the disposition of the affair of the Trent conveyed to this government in Mr. Thouvenel's despatch to you of the 19th of January, which you in so obliging a manner read to me, and a copy of which, at my request, you delivered to me on Saturday last.

I trust, sir, that the European states will on no occasion, more than on the one which has just passed, have reason to doubt that the United States, while acting loyally to themselves, will at the same time prove loyal, also, to the best principles and traditions of their history. It shall not be a fault on their part if, emerging from their present troubles, they do not retain the respect, good will, and fraternal sympathy of all enlightened nations. Have the goodness, in your own way, to make these sentiments known to Mr. Thouvenel.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. HENRY MERCIER, *&c., &c., &c.*

Mr. Seward to Mr. Mercier.

DEPARTMENT OF STATE,
Washington, February 10, 1862.

SIR: Your note of January last was duly received. It calls my attention to the embarrassments which weigh upon French commerce and industry in consequence of the political disturbances existing in the southern portion of the United States, and suggests as a partial remedy that the correspondence of a purely commercial character might be transmitted by the consuls of the Emperor, such correspondence being in all cases open, and being found by the consuls to be purely commercial and having no tendency to a violation of the existing blockade.

Some delay has attended the consideration of this proposition, not because the government was disinclined to make the concession to France, but because the concession granted to French subjects must, in a spirit of equality, be conceded to the citizens or subjects of other foreign states, and also, perhaps, to citizens of the United States.

I am instructed by the President to say that military operations are rapidly bringing commercial cities where the insurrection exists under the authority of the United States, and that in connexion with these operations the government is considering how facilities may be granted of the character in question. I expect soon to be able to recur to this subject. In the meantime, should the delay seem unreasonable, I shall consent, with pleasure, to hear you upon it again, whenever you may think proper.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. HENRY MERCIER, *&c., &c., &c.*

Mr. Seward to Mr. Mercier.

DEPARTMENT OF STATE,
Washington, February 20, 1862.

SIR: I have carefully considered the suggestions concerning the artificial obstacles made in Charleston harbor, presented by you in the conversation which occurred between us last Monday at an interview which you had solicited under an instruction of Mr. Thouvenel, of which you have kindly given me a copy.

Before that interview I had already given to Lord Lyons what I have no doubt ought to be satisfactory explanations on the subject. I had also instructed Mr. Dayton, if he should find it profitable, to make the same explanations to the imperial government. It seems unnecessary to add to the explanation further than to say that Mr. Thouvenel seems to have been misled into the grievous error of supposing that we had initiated a proceeding to permanently ruin the harbors of our commercial cities temporarily occupied by the insurgents, and that the placing of artificial obstructions in channels which lead to Charleston harbor was only the beginning of that work of universal and unsparing destruction. On the contrary, all that has been, at any time, intended, has been merely the temporary obstruction of some, not all, of the channels leading to Charleston harbor, leaving others free, except as closed by the blockade.

I might have been disposed to complain that Mr. Thouvenel has listened too favorably to exaggerations upon the subject, but I am prevented from doing so by the fact that in his instructions to you he expressly reserved himself for more authentic information, and that while he has directed you to converse with me upon the subject, he has generously refrained from requiring you to make any formal complaint to this government. The President appreciates the friendly spirit manifested in this prudent forbearance, as he does also the marked propriety which has distinguished your own proceedings in the question.

I believe, sir, that the reaction which I have so constantly promised you against the insurrection which has threatened to us so much danger and inflicted upon friendly nations so many evils has begun. If Europe, instead of believing what the traitorous emissaries of that insurrection report to our prejudice, and lending its sympathies to their unreal grievances, shall come to recognize the simple fact that the federal Union, while adhering to all its obligations and its treaties, is safely surmounting all its dangers, there will not be a port left in the hands of the insurgents a month after the hopes of foreign aid shall have been thus disappointed.

The speeches of his Majesty the Emperor of France and the Queen of Great Britain to the legislatures of their respective countries show a constancy in their purposes not to be drawn unnecessarily into this unhappy domestic contention; and therefore they cannot but exert a very salutary influence in the direction I have indicated. The administration of the Emperor cannot be an obscure one. It is already illustrated by the influence he has made France exert upon events having important bearings on the progress of society in Europe. It probably is yet to enjoy other triumphs of the same kind. But I venture to say that what will be regarded in after times as the crowning evidence of his wisdom and his virtue will be the magnanimity with which, resisting ephemeral though powerful political influences, he withheld his country from contentions beyond the ocean, which she could not heal, and into which she could not enter without convulsing human society to its centre and obstructing the course of civilization for centuries.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. HENRY MERCIER, *&c., &c., &c.*

Mr. Pelissier to Mr. Thouvenel.

[Translation.]

FRENCH MISSION TO MOROCCO,
Tangier, March 3, 1862.

MR. MINISTER: Mr. De Long, consul general of the United States at Tangier, yesterday addressed to all the consular corps a strange circular on the subject of the disorders which preceded the shipping off of Messrs. Tunstall and Myers, mentioned in my reports of the 27th of last month. The letter of Mr. De Long has produced upon all his colleagues a very ill effect.

I have the honor to transmit to you a copy of this circular, and of the answer which on my part I believed it my duty to make.

Accept, &c,

H. PELISSIER.

The MINISTER OF FOREIGN AFFAIRS.

Circular addressed to the consular corps (at Tangier) by Mr. De Long, consul general of the United States.

[Translation.]

TANGIER, *March* 1, 1862.

SIR: On the afternoon of the 26th of last month the consulate of the United States was besieged, the American flag insulted, and my life placed in danger by an armed populace, composed of European subjects resident in the locality, under the protection of the representatives of foreign nations.

The circumstances which accompanied the recital made of this outrage lead me to believe that no one of the representatives above mentioned interfered to disperse that gang before measures had been taken by the minister for foreign affairs of the government of Morocco.

After the trials my beloved country is passing through, we shall have a Union and a Constitution, which we shall uphold and transmit intact to our children and our children's children through succeeding generations, and a flag everywhere known and respected will not have been insulted with impunity by a vile European populace on the coast of Africa; above all, proceeding from such authors or from those who have been in connivance with them.

Informing you thereof, in your prompt answer to this communication, you will please to exculpate yourself honorably, and put me in position to render to my government a satisfactory report.

I have the honor to be, sir, your obedient servant,

JAMES DE LONG.

Mr. H. PELISSIER,
Chargé d'Affaires of France, ad interim, at Tangier.

Answer of Mr. Pelissier to the circular of Mr. De Long.

[Translation.]

TANGIER, *March* 3, 1862.

MR. CONSUL GENERAL: I have the honor to answer the letter you have addressed to me of the date of yesterday.

As the representative of a great and generous nation, as a man, I have not been able, although remaining a neutral looker on, to approve the conduct which you have thought you ought to take towards Messrs. Tunstall and Myers. I regret the disorder which was its consequence, but I thrust aside, as I ought, the participation which it has pleased you to suppose I had perhaps taken in the demonstration which took place at the American consulate on the 26th of last month. I do not know what can have led you to pretend to an explanation on the part of the French mission, and I am astonished at it. You should have reflected that an agent who respects himself could not, in a country like Morocco, give his assent to an attack directed against the hotel of a representative of a Christian power, friend or foe of his government.

I will now answer the strange passage of your letter, in which you seem to believe that I waited for the action of the local authority before giving orders to my countrymen. Your inquiries have been ill directed; Mr. Consul, you will allow me to tell you so. Quite on the contrary, I hastened, as soon as I knew what was passing at your house, to send a person employed at the mission to notify to the two or three Frenchmen, who might perhaps have been disposed to follow the crowd which was besieging your consulate, the order to withdraw themselves and to abstain from any hostile demonstration. Not one was found there, and it was afterwards only that Minister Bargass took his step with the consular corps.

I hope, Mr. Consul General, you will please to take into consideration the condescension which the agent of the French mission has practiced in answering your communication. I transmit, moreover, to my government, a copy of your letter and my answer.

H. PELISSIER.

Mr. Thouvenel to Mr. Mercier.

[Translation.]

PARIS, *March* 13, 1862.

SIR: I think it proper to send you a copy of a despatch which I have just received from our agent at Tangier, with respect to an affair which has caused an excitement in that city which may be readily accounted for. Two Americans, belonging to the southern States of the Union, who had taken passage at Gibraltar on board the French packet-boat called *La Ville de Malaga*, bound to Cadiz, having landed at Tangier, were there, upon the requisition of the consul of the United States, arrested by the Moorish force, put in irons, and embarked on board a sloop-of-war sent for by Mr. De Long. You will see, sir, what impression this act caused among the foreign colony. The violent language and the threats of the American consul alone have induced the local authority to lend him to the end their co-operation, and, if the other foreign agents had not occupied themselves in pacifying their fellow countrymen, that incident might have led to unpleasant consequences for the consulate of the United States. The cabinet of Washington would not, without doubt, approve the conduct pursued on this occasion by its representative. The fact that Messrs. Myers and Tunstall, having taken passage for Cadiz on board a French boat, were but temporarily on shore when they were seized, and might believe themselves, as a consequence, still under the protection of our flag, this fact might authorize us, strictly speaking, to complain, on our own account, of the deplorable measures, under all aspects, which Mr. De Long has not hesitated to adopt. I do not desire, however, to put the question upon that ground. It is sufficient that we should recall to mind the conflict which arose at Smyrna, some years ago, between the commander of a vessel of the United States and the commander of an Austrian brig, respecting a Hungarian refugee, Martin Costa, to be assured that the federal government will not judge of the incident referred to otherwise than we do. In fact, it has not been forgotten that Costa, having disembarked from an American vessel, and having been arrested by order of the consul of Austria, at once claimed the American protection; that, upon the order of the chargé d'affaires of the United States at Constantinople, the commander of the American corvette, the St. Louis, wrote to the commander of the Austrian brig, the Huzar, to demand from him, *nolens volens*, the surrender of Costa, held on board his vessel, and that this proceeding brought about finally, with the intervention of the foreign consuls, the release of the Hungarian refugee. It cannot be that, after the commander of an American vessel has drawn up, with the approbation of his government, demands so energetic on a similar occasion, that the United States can have any interest in defending acts which are so contrary, as that which Mr. De Long has permitted himself to commit, to the principles which they then honored themselves in defending.

Accept, &c.,

THOUVENEL.

Mr. H. Mercier,
Minister of France at Washington.

Extract from a despatch from Mr. Thouvenel, dated March 20, 1862, *Paris.*

[Translation.]

You will find here annexed copy of a fresh despatch, which I received from our agent at Tangier, on the subject of the regretted incident which I acquainted you with by the last mail. You already know that the colleagues of Mr. De Long, although their impressions on the fact of the seizure of Messrs. Myers and Tunstall did not differ from those which were entertained by all the European population, busied themselves in calming the irritations of their countrymen against the American consul, and prevented any more serious danger to him personally. Far, however, from appreciating the generous intervention of his colleagues, Mr. De Long thought he had a right to address them a circular, the strange terms of which, to say no more, will incur, I have no doubt, the full disapproval of the cabinet of Washington. We must the more, in what regards us, attach some importance to it because Mr. Pelissier, who would have been completely justified, in our eyes, if he had abstained from replying to the consul of the United States, allowed himself, out of respect for the government which that agent represented, to enter into explanations from which the circumstances relieved him, and did so with a moderation of which the circular of Mr. De Long gave him no example.

Receive, &c.,

THOUVENEL.

The Acting Consul General of France in Morocco to His Excellency Mr. Thouvenel.

[Translation.]

Tangier, *February* 27, 1862.

Messrs. Tunstall and Myers, about whom I had the honor to write you on the 20th of this month, were embarked yesterday afternoon on board the United States corvette, by Mr. De Long, consul general of that nation for

Morocco. This embarcation was not effected without some difficulty. It has produced amongst all here a bad impression; and the European population of our city, justly indignant at the conduct of Mr. De Long towards Messrs. Tunstall and Myers, sought to take his prisoners from him. I will take up things from the beginning.

As your excellency knows, the representatives of the Christian powers in Morocco have, by virtue of the treaties of their governments with this empire, the right to call in the aid of the local authorities to arrest their countrymen. It is this aid which Mr. De Long has maliciously called upon to arrest Messrs. Tunstall and Myers, who had landed, without any distrust, at Tangier to see a friend, and who believed there was no more danger there than in the streets of Gibraltar or of Cadiz. The Pacha was applied to for soldiers to arrest two Americans—granted them without more ample information, and Messrs. Tunstall and Myers found themselves suddenly seized upon as malefactors, chained, and conveyed to the American consulate, where they remained, tied hands and feet, until the moment of their embarcation. The brutal conduct of Mr. De Long has roused against him the indignation of all Tangier, and his colleagues, while they desire to observe perfect neutrality, cannot refrain from blaming him.

The day before yesterday the minister, Mr. Bargass, received a letter from the commander of the Sumter, informing him that Messrs. Myers and Tunstall were very worthy people; that the consul general of the northern States had caused them to be arrested only because they belonged to the southern States, which were at war with his government in consequence of their secession; that the Confederate States would soon be a nation recognized in Europe, and that he had been very much surprised to learn that the authorities of Morocco at Tangier had aided Mr. De Long in arresting Messrs. Myers and Tunstall while peace existed between their country and Morocco. He ended by requesting the liberation of Messrs. Tunstall and Myers. Sidi Mohammed Bargass, on the receipt of the letter from the commander of the Sumter, wrote to Mr. De Long to request him to release his prisoners, adding, in moderate terms, that the government of Morocco, which kept aloof from all questions existing among Christians, and wished to be at peace with all, would desire, under the circumstances, as the thing had taken place in Europe, to see the independence of her territory respected. Pending these incidents the United States corvette, summoned by Mr. De Long, arrived and anchored in the waters of Tangier, and the consul general went yesterday with her commander to reply to the communication from the minister of Morocco.

Here is the article of my treaty, said Mr. De Long to Sidi Bargass, which gives me the right to call for the aid of the local authority to arrest and ship my countrymen. Messrs. Myers and Tunstall are rebellious subjects of my country, of whom I have taken possession, and if you do not aid me with the strong hand, I will take down my flag, break its staff, and embark at once, and war will be declared against you by the United States. Nothing more was needed to frighten Minister Bargass, who then gave all his assistance to the American consul, after having had his promise, however, that their lives would be safe.

The European population of Tangier, as soon as it was known that the two prisoners were to be put on shipboard, went almost in a solid body to the American consulate to request their liberation from Mr. De Long. The consul general and the commander of the American corvette replied to this entirely pacific demonstration by insult and menace. Then knives were drawn, threats of death were uttered, and the crowd was already rushing into the apartments of the American hotel to carry off Messrs. Tunstall and Myers, when the consuls, informed of what was passing, called upon their countrymen to withdraw, and to abstain from any hostile demonstration. The authorities, on their side, caused the gates of the city to be closed for fear some conflict might take place between the populace and the men of the American boats, who were awaiting the prisoners at the sea gate.

Mr. De Long delayed the embarcation of Messrs. Tunstall and Myers until the state of feeling was more calm, and about five o'clock in the afternoon a squad composed of American seamen and of soldiers of the Mighzen conveyed to the sea gate the two prisoners, who, strongly bound, were borne along by main strength. They were at once put on board the United States corvette, which made an offing during the night.

Deign to accept, &c., &c.

Mr. Seward to Mr. Mercier.

DEPARTMENT OF STATE,
Washington, April 4, 1862.

SIR: I have not yet received from Mr. De Long, our consul at Tangier, a perfect report of the arrest and other proceedings there in regard to the pirates of the Sumter. So soon as I obtain the needed information, I will ask the attention of the President to the view of that transaction submitted to me by you in our conversation of yesterday.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. HENRY MERCIER, *&c., &c., &c.*

Memorandum for Mr. Mercier, sent April 12, 1862.

Mr. Seward said that he had received the copy of a circular note which Mr. De Long is reported to have written to the consuls of the European powers at Tangier relating to the proceedings which occurred there on the occasion of the arrest and removal of the two disloyal Americans connected with the Sumter.

Mr. Seward said that the despatches received from Mr. De Long brought information of these proceedings only down to the day on which the arrest was made. He of course had no report from Mr. De Long with regard to the issue of the circular. But Mr. Seward said that he was free to confess that the terms of the circular, if correctly reported, were improper and offensive, and that he, therefore, was prepared already to disavow the same; but he would, of course, defer any formal notice of the subject until Mr. De Long's report should be received. Mr. Seward added that the consideration of the case on its merits was also delayed for Mr. De Long's report.

Mr. Mercier to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, May 16, 1862.

SIR: When the last tariff was adopted I had the honor to engage your attention upon the injurious consequences which would necessarily result to French industrial pursuits and the commercial relations between the two countries. My anticipations are only too seriously realized, and our manufacturers of silks, especially affected in their interests, have recently addressed the imperial government, through their organ, the Chamber of Commerce of Lyons, soliciting its intervention with that of the United States, in order to obtain some modifications of a state of things which, if prolonged, would end in the exclusion from the American market of one of our most important branches of export trades.

These complaints are specifically stated in a report of which I have the honor to send you a copy herewith, and are founded not only on the excessive increase of duties weighing upon silks, but on the consideration which certainly had not entered into the purview of the legislator, that French silks, being in general of superior quality, find themselves ranged side by side with similar productions of Switzerland and Germany under conditions which do not allow them to meet the competition. In effect, by reason of their quality, they are subjected to a duty of 40 per cent. ad valorem, while the Swiss and German silks are subject only to a duty of 30 per cent., also ad valorem. I now request you, sir, in conformity with orders from my government, to have the kindness to transmit this document to the Secretary of the Treasury, commending it to his favorable consideration. I am confident that the facts therein set forth will suffice to engage Mr. Chase until experience has demonstrated the necessity for a reform in custom duties, which French commerce calls for with all its wishes to bring about the modification of some of the provisions of the existing tariff, in such manner that our manufacturers may at least no longer suffer from a treatment exceptionably unfavorable.

I seize on this occasion, sir, to renew to you the assurances of my very high consideration.

HENRI MERCIER.

Hon. Wm. H. Seward, *&c., &c., &c.*

The Chamber of Commerce of Lyons to his excellency the minister for agriculture, trade, and public works.

Mr. Minister: We have the honor to transmit to you a petition which the importers of silks in America have sent to us, and which responds to one of the most engrossing anxieties of our city.

We wish to speak of the American tariff actually in force, according to which silk stuffs below one dollar per square yard in value are struck with a duty of thirty per cent. ad valorem, and those above such measure with a duty of forty per cent. This tariff of character, truly prohibitive, completes the impossibility of any business relations with America at a moment, above all, when the consumption of that country can only seek merchandise of low prices; but, besides, it takes away from our fabrics all hope of benefiting by a reaction, if there should be one. If peace should be concluded to-morrow between the north and south, not a single current of business would be re-established; the present tariff would prevent.

We come, then, Mr. Minister, to call your excellency's especial attention to this side of the American question, which interests us in such very high degree, and would remark that the tariff is particularly hurtful to us, because the Swiss and German factories produce the greater part of the articles which come under the category of thirty per cent. of duty, whilst the Lyonnese factories produce those especially which fall under the blow of the application of the duty of forty per cent. It results from this that the situation made for our place is worse than that made for every other place. This, however, could not have been the intention of the government of the United States, which must wish to conciliate the sympathies of France, and which, by consequence, did not desire to make her (the nation) the least favored under the tariff. This is the reason why we come to ask your excellency to take under favorable consideration this abnormal condition of things, to counsel the means for obtaining from the cabinet of Washington, in the first place, the suppression of the two-fold list which the present tariff contains, and in the second place, if possible, a reduction of the tariff.

It would be superfluous to demonstrate that so high a tariff only tends to stimulate smuggling, and that, if it be kept up it is certain an active smuggling business would be established. Already the rumor circulating that great purchases of silks, made during the month of February by English commission houses, were intended for importations to America by way of Canada. We do not believe the truth of this rumor, for the reason that the market of New York is in a state of prostration, too well proven to leave a chance to sell the goods there, even exonerated from a portion of the customs duties. But these rumors demonstrate that speculation has her eyes open as to this eventual expedient, and that in case of a reaction she would hasten to have recourse to it. There is another species of fraud which is practiced the more as duties are the more increased; it is that which consists in making false invoices as to the price of the goods.

We venture to hope, Mr. Minister, that the petition of our commission merchants will find from your excellency a favorable reception, and that the interest you take in our industrial branch, as well as the sympathy you have for the vexatious situation in which it is still placed, will dispose you to discover means to give it all the aid it deserves.

We are, &c., &c.,

The President, BROSSET VINI.

The Secretary, H. JAME.

True copy:

The Director of Foreign Commerce, OZENNE.

Mr. Seward to Mr. Mercier.

DEPARTMENT OF STATE,
Washington, May 20, 1862.

SIR: I have the honor to acknowledge the receipt of your communication of the 16th instant, relative to the tariff imposed by this government on French silks, and to state in reply that I have communicated the translation of it to the Secretary of the Treasury and invited his attention to the subject.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. HENRI MERCIER, *&c., &c., &c.*

Mr. Seward to Mr. Mercier.

DEPARTMENT OF STATE,
Washington, May 26, 1862.

SIR: Referring to your note of the 16th instant, relative to the tariff imposed by this government on French silks, and to my reply, I now have the honor to enclose to you the copy of a communication of this date from the Secretary of the Treasury, setting forth what has been done by him in the premises.

Be pleased, sir, to accept the renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. HENRI MERCIER, *&c., &c., &c.*

Mr. Chase to Mr. Seward.

TREASURY DEPARTMENT,
May 26, 1862.

SIR: I have the honor to acknowledge the receipt of your letter of the 20th instant, covering the translation of a despatch addressed to you by the French minister on the 16th instant, and of a letter from the Chamber of Commerce of Lyons to the minister for agriculture, &c., of France, relating to the bearings of our tariff on French silks.

I have transmitted to the chairman of the Committee of Ways and Means, for the information of the committee now employed in revising the tariff of the United States, the letters of Mr. Mercier and of the Chamber of Commerce of Lyons, with a note from myself, of which I enclose a copy.

I am confident that it will be the aim of Congress in all modifications of the tariff to make such changes only as are required by the interests of the people of the United States, and so doing will observe entire impartiality with regard to the industrial interests of other nations.

With great respect,

S. P. CHASE,
Secretary of the Treasury.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Chase to Mr. Stevens.

TREASURY DEPARTMENT,
May 23, 1862.

SIR: I have the honor to transmit, herewith, a copy of a letter from the Secretary of State to me, dated 20th instant, covering translations of a letter addressed to him by the minister of France, M. Mercier, and of a letter from the Chamber of Commerce of Lyons to the minister of trade of France, relating to the bearing of our tariff on French silks, which is represented to be unequal and injurious to French manufacturers.

I am certain it will be the aim of Congress in forming the tariff bill now under consideration to make its provisions bear with entire impartiality upon the industrial interests of other nations, and I shall say this in my letter to the Secretary of State, in advising him of the disposition I have made of the letters of M. Mercier and of the Chamber of Commerce of Lyons.

With great respect,

S. P. CHASE,
Secretary of the Treasury.

Hon. THADDEUS STEVENS,
Chairman Com. of Ways and Means, House of Reps.

Count Mejan to Mr. Thouvenel.

[Translation.]

No. 148.]

CONSULATE OF FRANCE,
New Orleans, May 30, 1862.

MR. MINISTER: In my despatch No. 146 I had the honor to give you some information upon the commercial and financial situation of New Orleans since the occupation of that city by the federal troops, and especially in regard to carrying into execution the first orders of the governor of Louisiana relative to the burning of cotton before the arrival of those troops.

At the time I wrote I estimated at about 250,000 bales the amount which had been given to the flames, and think there is not much to be added to this figure at this time, although burnings have been continued in proportion as the naval federal force has ascended the Mississippi river and occupied the few towns which lie on its banks from New Orleans towards Natchez, the great centre of the cotton production of the State of Mississippi.

Many planters have themselves set fire to their cotton, while others have left the task to official *incendiaries;* all who had time have taken their produce to a distance from the banks of the river to hide it in the woods, or to place it in quantities in the open grounds of the interior ready to sacrifice it on the approach of the federals. It should not be dissembled that the determination not to let the cotton fall into the hands of the authorities or the troops of the United States is general, and from all accounts which reach me from travellers the most disinterested and most worthy of credit, I have arrived at the conviction that, short of an amicable arrangement between the two parties carrying on this destructive war, the quantity of cotton which will be exported this year will be altogether disproportioned to the wants to be satisfied, as well in Europe as the United States.

The government at Richmond has renewed the order to burn all cotton and tobacco, rather than to let it fall into the hands of the enemy. The governors of the diverse southern States, as well as the military authorities everywhere, publish orders to this effect, and the willingness and patriotism of the people nowhere falls short of these.

Various ideas influence the inhabitants—hatred of those they call invaders; the always continuing dread of confiscation, to which voluntary sacrifice seems preferable; and also the disappointment caused everywhere by the protracted indifference apparent among the European powers, and even by the rumors now current of a mediation by France, or rather by the form given to such mediation. I have difficulty to believe in the carrying out of acts indicating at once such an exultation of patriotism and such indifference for their own welfare and somewhat also for the rights of others, for the avails of every crop of cotton is pledged beforehand to various creditors. To-day, I repeat it, I am constrained to modify my opinion, and to acknowledge that, in proportion as the limits of the contest are more restricted, the determination increases with the disposition for the greatest sacrifices.

The first vessels from the north which will come here in the hope of loading cotton will experience very great disappointment, and the arrival at Boston of a vessel loaded here last week and carrying only *eleven* bales of cotton, (made up of remainders of those burned,) will perhaps open the eyes of many people.

I know of deposits of cotton, bought in the interior for account of French houses, which have been spared, but which may be burned at any moment, and which the buyers have engaged not to bring into the city and not to ship but with the consent of the selling producers. I know of transactions made by strangers with cotton planters, and broken off because the latter would not bind themselves to cause this cotton to be respected by the incendiaries in case of the approach of federal troops. If hatred is bitter, confidence is absolutely gone, and nothing is done to re-establish it.

While General Butler appeared to be opposed to carrying off slaves, some officers under his command, such as General Phelps, well known by a certain proclamation, and in command of a corps near the city, favor it; many subaltern officers do the same. Domiciliary visits made daily without written order, at all hours of the day and the night, and many other arbitrary measures, keep up distrust.

General Butler, who knows how to be polite when he chooses, uses towards the most respectable people, against whom he thinks he has cause of complaint, language the most extraordinary; his first words are almost always, "I will hang you," or "I will send you to Fort Jackson." He seeks means to fall back on occurrences which have happened during the war, and especially in running the blockade, and in imposing arbitrary fines under threat of being sent to Fort Jackson.

Some time since a vessel, which on two occasions had run the blockade—the Wittemore, formerly the Fox—was taken on the coast, and a bag of letters was found on board; they have been opened, and all commercial papers found taken away, and use has been made of them to draw from various mercantile houses sums more or less considerable. A Spanish house had to pay $9,500; another house was condemned to pay $12,000, that is to say, the amount of a bill of sales of cotton effected at the Havana. This house is managed by French citizens, Messrs. Cahuzac, at Havana and Paris. It seems to me very plain that this is an arbitrary act of the worst sort, for martial law is thus applied retroactively to cases which have no connexion with it and which would, at the most, be within the province of an admiralty court.

A young German has been brought before General Butler, who presented a draft found in one of the letters, of about $600, which Messrs. Mumm, of Rheims, had sent him to be cashed. The general threatened him with Fort Jackson if during the afternoon he should not have paid the amount, and it was only on the earnest representations of the consul of Hamburg that he gave up the matter, saying to Mr. Schroeder, the German in question, that he had other complaints against him, and if they should be proved he would hang him. In fine, yesterday he made Mr. Cavas come before him, a very respectable and rich Greek merchant. Their conference was about as follows: "You have sugar on hand?" "Yes, general." "How have you bought it?" "With my means, and my drafts on the house Zizinia & Rally, (French,) of London." "Have not you paid for this sugar with gold which you have brought from Havana and sold at 100 per cent. premium?" "No, sir; I don't do such things." "In fine, I make much account of understanding the character of this transaction, and as soon as you can you must give me proof of what you state." Here, then, is a house well known, having large transactions, which will, without doubt, be forced to show its mercantile books for investigation by experts sworn by the military commander of the United States troops. Measures of this sort are suspended over the heads of all, and certainly not taken to re-establish confidence or inspire the residents with it and encourage them to send their produce to the city. So, as I have already said, the over-excitement, instead of being calmed through the country around, is still increasing, and already at this moment it is in question in part of Louisiana to sacrifice even the sugar, a product truly indigenous.

The absence of all unionist feeling throughout the general mass of the population springs from all these facts. There may be, and there in truth is, some weariness amongst a part, and an able administration, a moderate application in form and substance of the necessities of war, might improve it into the recall of some minds. I question if there can be any success through the application in this enlightened country, accustomed to a liberty which borders on license of a regime and a despotism unknown to the world.

I have had nothing personally to complain of with General Butler, who is always very agreeable when I have relations with him; but I cannot admit that in a country whose existence is based upon absolute liberty and a written Constitution, martial law should be the absence of all law, and even of all regularity, and permit all the prescriptions of the Constitution to be set aside. A great number of coffee houses, of bar rooms, billiard rooms, are kept at New Orleans for strangers—French, Spanish, Italian, &c.—under licenses, costing each year $150, part going to the city, part to the State, and payable by forces of special laws. These licenses are issued in the month of January. General

Butler has just decided that new licenses must be taken out, to the profit of the United States, without doubt, and $150 paid in gold, or city bills, or treasury notes. I at once addressed a remonstrance to him, grounding myself on the absence of any law authorizing such an impost, and upon the impossibility of paying it, &c., in the shape exacted. The general sent me a verbal answer that the law martial gave him the right to establish it. I call the attention of the minister of the Emperor at Washington to this question, which interests a great number of Frenchmen. Another Frenchman, Mr. F. Barriere, has been sentenced to a fine of $100 for not having opened his shop. In fine, others of our countrymen have suffered various damages, of which I will send a recapitulation to your excellency.

To come to the question, which is the principal purpose of this despatch, that about cotton, it follows, as I said above, from all the information I have collected, that in Louisiana, as in Mississippi and Alabama, all the cotton is destined to the flames on the approach of the federal troops. It is gathered everywhere in enormous piles, and *committees* everywhere exist who take on themselves the task of destroying it at a given moment, with or without the will of the owners, for there are many sufficiently honest not to wish to do the patriotic at the expense of their creditors. I must state, at the same time, that the cultivators of the soil (habitants) have devoted more than two-thirds of their lands to the production of alimentary crops; and that, according to what is said by persons who have been all through the State of Mississippi, and that portion of Louisiana watered by Red river, not half a crop has been prepared for the coming year, which will be further lessened by floods. In fact, all the low lands of Louisiana, above the Red river and the State of Mississippi, are now under water.

In every aspect, then, the future is very sad; refusal to send to the city, and preparations for burning the cotton of the present crop, and almost certainty of an altogether insufficient crop next year, and, as a consequence, the probable ruin of the country and incalculable losses to our manufacturers and misery to our workmen.

The remedy of the present can only be sought in a general and prompt pacification. As for indicating any for the future, that is still more difficult, for the planting season is in the months of March and April, and it is more than doubtful that replanting could be attempted at a time so advanced in the year.

Please accept the homage of respect with which I have the honor to be, Mr. Minister, your excellency's very humble and most obedient servant,

C. MEJAN.

His Excellency Mr. THOUVENEL,
Minister for Foreign Affairs, Paris.

Memorandum of conversation between Mr. Mercier and Mr. Seward.

DEPARTMENT OF STATE,
Washington, May 31, 1862.

Mr. Mercier called upon Mr. Seward informally, to speak of some irritation among the consuls at New Orleans, resulting from irregularities and severities reported to have been practiced by Major General Butler towards them on the occasion of his taking military possession of that city. Mr. Mercier said that he had not called now to present any complaint on the part of the French consul, and explanations which had been already made by General Butler perhaps would relieve him of any necessity for doing so.

Mr. Seward said that he had seen newspaper reports of the occurrences at

New Orleans, but as yet had received nothing official, either from any representative of any foreign government or from the War Department. But he had had no hesitation about interposing in the matter at once.

Yesterday, after a brief conversation with Lord Lyons, when the subject was first brought to his notice, he had procured orders from the Secretary of War to Major General Butler, directing him to refrain from practicing any severities or strictness of doubtful right towards any consul or subject of any foreign power; which orders had been already transmitted.

To-day it had been decided to devolve the civil government of New Orleans upon a provisional military governor, who would proceed with the utmost despatch to New Orleans and relieve General Butler of civil administration there.

Mr. Seward said that he had already appointed a commissioner for the State Department, of distinguished ability and character, to proceed to New Orleans as speedily as possible, and inquire and take evidence of the transactions which have occurred there, in which any complaint of violation of consular rights, privileges, and courtesies has arisen under the administration of General Butler, to redress any such clear violation which he may ascertain to have occurred, by making restitution, and in every other case to make full report to the Secretary of State for his decision thereupon.

Mr. F. W. Seward to Mr. Mercier.

DEPARTMENT OF STATE,
Washington, June 12, 1862.

SIR: Referring to the letter from a Frenchman at New York to the consul general of France there, relating to wines being considered by the custom-house authorities at that place as contraband of war, which you some days since left at this department, I now have the honor to enclose to you, for your information, the copy of a communication of the 6th instant from the Secretary of the Treasury, to whom the matter was referred, from which it appears that wines, as they do not properly come under the head of ardent spirits, are permitted to be shipped.

I have the honor to be, with high consideration, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

MR. HENRY MERCIER, *&c., &c., &c.*

Mr. Chase to Mr. Seward.

TREASURY DEPARTMENT, *June* 6, 1862.

SIR: I have received your letter of the 22d ultimo, stating that a letter from a Frenchman at New York to the consul general of France at that port has been left at your department by Mr. Mercier, which represents that the writer had been informed by the custom-house authorities that wines were considered as contraband of war, and asking for information in regard to the matter.

I have the honor to transmit herewith, for your information, a copy of the instructions addressed to collectors, with reference to clearances to the ports newly opened by the proclamation of the President, by which you will perceive that "ardent spirits" are declared contraband of war, and their shipment prohibited; but wines, not coming properly under this head, are permitted to be shipped.

I am, very respectfully, your obedient servant,

S. P. CHASE,
Secretary of the Treasury.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[CIRCULAR.]

Mr. Chase to collectors of customs.

TREASURY DEPARTMENT, *May* 23, 1862.

SIR: In pursuance of the provisions of the proclamation of the President, modifying the blockade of the ports of Beaufort, Port Royal, and New Orleans, and of the regulations of the Secretary of the Treasury relating to trade with those ports, no articles contraband of war will be permitted to enter at either of said ports, and you will accordingly refuse clearance to vessels bound for those ports, or either of them, with any such articles on board.

Until further instructed, you will regard as contraband of war the following articles, viz: cannons, mortars, fire-arms, pistols, bombs, grenades, firelocks, flints, matches, powder, saltpetre, balls, bullets, pikes, swords, sulphur, helmets or boarding-caps, sword-belts, saddles and bridles, (always excepting the quantity of the said articles which may be necessary for the defence of the ship and of those who compose the crew,) cartridge-bag material, percussion and other caps, clothing adapted for uniforms, rosin, sail-cloth of all kinds, hemp and cordage, masts, ship timber, tar and pitch, ardent spirits, military persons in the service of the enemy, despatches of the enemy, and articles of like character with those specially enumerated. You will also refuse clearances to all vessels which, whatever the ostensible destination, are believed by you, on satisfactory grounds, to be intended for ports or places in possession or under control of insurgents against the United States, or that there is imminent danger that the goods, wares, or merchandise, of whatever description, laden on such vessels, will fall into the possession or under the control of such insurgents; and in all cases where, in your judgment, there is ground for apprehension that any goods, wares, or merchandise, shipped at your port, will be used, in any way, for the aid of the insurgents or the insurrection, you will require substantial security to be given that such goods, wares, or merchandise, shall not be transported to any place under insurrectionary control, and shall not, in any way, be used to give aid or comfort to such insurgents.

You will be especially careful upon application for clearances to require bonds, with sufficient sureties, conditioned for fulfilling faithfully all the conditions imposed by law or departmental regulations, from shippers of the following articles to the ports opened, or to any other ports from which they may easily be, and are probably intended to be, re-shipped in aid of the existing insurrection, namely: liquors of all kinds other than ardent spirits, coals, iron, lead, copper, tin, brass, telegraphic instruments, wire, porous cups, platina, sulphuric acid, zinc, and all other telegraphic materials, marine engines, screw propellers, paddle-wheels, cylinders, cranks, shafts, boilers, tubes for boilers, fire-bars, and every article or other component part of an engine or boiler, or any article whatever which is, can or may become applicable for the manufacture of marine machinery, or for the armor of vessels.

I am, very respectfully,

S. P. CHASE,
Secretary of the Treasury.

HIRAM BARNEY, Esq.,
Collector, &c., New York.

The foregoing circular letter has been sent to collectors of the customs for their information and guidance.

Mr. Mercier to Mr. Seward.—(*July* 31, 1862.)

[Translation.]

Memorandum.

The consul of France at New Orleans, acting in conformity with the French ordinances on the subject, has received, at recent times, a certain number of deposits of specie made with him by French subjects. He could not fail, in conformity always with such ordinances, to exhaust, before receiving said deposits, all possible means of information for attaining the fullest and most circumstantial knowledge about the character and origin of these deposits. Those means being exhausted, he would be exposed to severe rebuke from his government by declining to receive those deposits in his chancery, which would have been equivalent to refusal of protection to them, and, in effect, the exceptional circumstances in which New Orleans is at present temporarily placed sufficiently explain why some Frenchmen ought to wish to place their valuables in a sure deposit, and under the protection of the flag of their country.

Mr. Mejan has been called before General Butler, who has interrogated him on the subject of these deposits. Without denying their existence, he has refused to give any details in respect of them, because he did not recognize what right General Butler could have to interrogate him, and because, in complying with his request, he would have been faithless to the trust which his countrymen had placed in him, and would place himself in contravention of the precise terms of the consular convention of 1853; those especially of article 3, according to which the papers in the consular chanceries cannot in any case be searched. General Butler then told him that, if he would not give his word of honor not to allow any deposit of any importance to be taken away, he would send a guard to watch the consulate.

In this dilemma Mr. Mejan, desiring to continue to act in the most conciliatory spirit, but forgetting that he was subscribing to an obligation which he had no right to assume, and thereby placing himself in a most delicate position towards his countrymen, whose funds he had no power to detain when they should come to demand them again, gave this word of honor.

Mr. Mejan has, in a later communication, expressed to General Butler his regret at having pledged his word. It is of consequence that he should be promptly relieved, and Mr. Reverdy Johnson could receive, in this particular, instructions from the government of the United States, and end in a spirit of conciliation an incidental matter from which very serious difficulties might result to the consul of France in relations with his countrymen, and entanglements to be regretted with the authorities at New Orleans.

Viscount Treilhard to Mr. Seward.

[Translation.]

LEGATION OF FRANCE IN THE UNITED STATES,
Washington, August 8, 1862.

The Viscount Treilhard presents his compliments to Mr. Seward, and has the honor to communicate to him the papers, hereunto annexed, referring to a Frenchman whose funds are held in custody in consequence of a conflict of authority between Mr. Reverdy Johnson and General Butler.

Count Mejan to Mr. Mercier.

[Translation.]

CONSULATE OF FRANCE AT NEW ORLEANS,
New Orleans, July 24, 1862.

MR. MINISTER: I have the honor to send you the two papers, enclosed herewith, relating to the affair of Mr. Edward Dupasseur. Mr. Reverdy Johnson, to whom this affair had been submitted, had given the opinion that the funds deposited were the legitimate property of Mr. Dupasseur, and should be restored to him; but this withdrawal was again prevented by a formal order from General Butler, who has refused to give a reason therefor.

This new decision in the withdrawal of the funds belonging to Mr. Dupasseur may occasion to him considerable injury, in consequence of the loss of interest, and of the possible depreciation of specie, both in gold and silver.

Be pleased, Mr. Minister, to accept the assurances of my high consideration,

COUNT MEJAN.

Count H. MERCIER,
Envoy Ex. and Min. Plenipo. of France in the United States,
Washington.

P. S.—The funds referred to belong to Messrs. Edward Dupasseur & Co. and not to Mr. Dupasseur alone.

Mr. Dupasseur & Co. to Count Mejan.

[Translation.]

NEW ORLEANS, *July* 24, 1862.

SIR: On the 14th of April last we purchased of the Citizens' Bank an amount of coin amounting to $716,196, which we settled for by our drafts, at four months' sight, upon sundry bankers in Paris, and upon our house in Havre.

With your consent we deposited this coin at the consulate of France, and carried the bill of sale of the bank, receipted for by the cashier, to be sworn to at your chancery, as French property. About one month since we were summoned, in your presence, to appear before General Butler, who interrogated us upon this purchase of coin. We replied to him that we had only intended making a purely commercial transaction, advantageous to us, because it offered us a profit of from three per cent. to four per cent.; and that, as he had appeared to suspect, this money was in no way intended to purchase arms in Europe, but really to pay the drafts which we had drawn against it. We added, furthermore, that we had never run the blockade, nor made any contract with the confederate government or with its officers. General Butler requested us, and also yourself, not to take this coin from the consulate until the arrival of the honorable Reverdy Johnson, the commissioner of the United States who was to settle the matter; to which we acceded.

Last week we were interrogated by the honorable Reverdy Johnson, who made a record of our answers. We communicated to him and gave him copies of the letters addressed to our different bankers, and to our house, in relation to this transaction, and also as to its entry in our books. We added thereto a statement of facts, of which you will find, enclosed, a true copy. We went, this morning, to see Mr. Reverdy Johnson, and to ask him for his decision; he replied to us that he had no authority to release this coin here, but immediately on his arrival at Washington he would make his report, a report which, according to his own words, he left us to infer would be favorable. We asked him, at the same time, why General Butler had prevented us from withdrawing this coin from the consulate; he replied to us that he did not know. Such are the facts Mr. Consul which we take the liberty to relate to you, asking the favor of you to have the goodness to submit them to the ambassador of France at Washington.

We protest, in the most solemn manner, against any insinuation or suspicion whatever which should tend to have the government of the United States to suppose that this coin is destined to any other object than the one of covering the drafts which we have drawn to meet it. We repeat that we have only intended to make a purely commercial transaction, and cannot account for the reasons which have caused its seizure.

We beg you to insist with the ambassador that this coin be returned to us immediately, for not only does any delay in its transmission seriously injure our interests, but further exposes us to the dangers inherent to the state of war, and the complications which may arise therefrom.

We have the honor to be, count, your very obedient servants,

E. DUPASSEUR & CO.

The Count MEJAN,
Consul of France at New Orleans.

Statement of Edward Dupasseur.

Edward Dupasseur, one of the claimants, makes the following statement, under oath, to be submitted to the Hon. Reverdy Johnson, commissioner of the United States:

On the 21st day of April last I sold to the Citizens' Bank the following drafts, viz:

	Francs.	Francs.
On Ad. Marcuard & Co., Paris	280, 000	
	260, 000	
	240, 000	
	220, 000	
		1, 000, 000
On B. Fould & Co., Paris	280, 000	
	260, 000	
	240, 000	
	220, 000	
		1, 000, 000

	Francs.	Francs.
On Thélier & Henrotte, Paris	280,000	
	260,000	
	240,000	
	220,000	
		1,000,000
On Dupasseur, Lecog, Frères & Co., Paris	300,000	
	280,000	
		580,980
Amounting, all together		3,580,980

Three millions five hundred eighty thousand nine hundred and eighty francs, producing at the rate of exchange of five francs the dollar, seven hundred sixteen thousand one hundred and ninety-six dollars, payable in specie, which I received in payment from the bank as follows:

5,480 Mexican doubloons	$85,488
800 South American doubloons	12,320
Sovereigns, 20 franc pieces, 10 guilders	3,388
American gold	95,000
Silver dollars	520,000
	716,196

Being a French subject, I deposited said coin at the office of the French consul for safe keeping, and had the invoice made to me by the bank, sworn as French property.

The drafts I gave to the bank were drawn at four months' sight, and by special agreement were not to be accepted until this coin was shipped, so as to give me ample time to pay the same out of the proceeds of the coin. The operation was purely a commercial one and perfectly safe and sound for me. I expected, and still expect, when the coin is shipped, to make three to four per cent., depending, in great measure, on the price of silver in Europe at the time of the arrival of this specie.

The operation, as regards to the bank, was equally advantageous: firstly, in placing their coin in Europe; secondly, in giving at the rate of exchange of this, say a handsome profit, from ten to twelve per cent., while liquidating, in the same time, their liabilities.

I do further swear and declare that I have never been running the blockade or making any description of contract whatever with the confederate government, or any of its officers, for the purpose of supplying it with arms or ammunitions of war. On the contrary, I have always maintained a perfect neutrality, as I was bound to do as a French subject.

I remain, very respectfully, pour copie conforme,

EDWARD DUPASSEUR.

Mr. Seward to Viscount Treilhard.

DEPARTMENT OF STATE,
Washington, August 9, 1862.

Mr. Seward presents his compliments to the Viscount Treilhard, and has the honor to acknowledge the receipt of papers which accompanied his note of yesterday in regard to a Frenchman whose funds are held in custody in consequence of a conflict of authority between Mr. Reverdy Johnson and General Butler. In reply Mr. Seward begs leave to inform the Viscount Treilhard that no decision can be arrived at in the case until the report of Mr. Reverdy Johnson, who is daily expected here, shall have been received.

Viscount Treilhard to Mr. Seward

[Translation.]

Legation of France in the United States,
Washington, August 12, 1862.

Sir: I request you, for the purpose of facilitating communications between this legation and the consulate of France at Richmond, to be pleased to give the necessary orders to the end that our letters may be received at Norfolk, where Mr. Paul can have them sent by an express, with the authority of the commanders of the federal forces, and that letters which Mr. Paul may cause to reach Norfolk by the same means may be forwarded to us at Washington, it being well understood that the packets thus exchanged shall contain nothing but French official letters.

Be pleased to accept, sir, the assurances of my very high consideration.

For the minister and by authority:

VTE. JULES TREILHARD,
First Secretary of the Legation.

Mr. Seward to Viscount Treilhard.

Department of State,
Washington, August 13, 1862.

Sir: I have the honor to acknowledge the receipt of your note of yesterday, relative to the issuing of orders for the purpose of facilitating communications between the French legation here and the consulate of France at Richmond, and to state that a translation of it has been sent to the Secretary of War, with a request that he will be pleased to comply with your wishes on the subject.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Viscount Treilhard, *&c., &c., &c.*

Mr. Seward to Viscount Treilhard.

Department of State,
Washington, August 20, 1862.

Sir: You have already been informed that the complaint made by your legation to this department concerning a request or requirement made by Major General Butler, commanding at New Orleans, upon Count Mejan, the French consul there, that he would retain seven hundred and sixteen thousand one hundred and ninety-six dollars ($716,196) which, he said, was deposited with him by Messrs. Dupasseur & Co., was by me referred to the examination of the

Hon. Reverdy Johnson, who had been appointed by the President as a commissioner for this department.

I have now the honor to inform you that Mr. Johnson has performed the duty confided to him, and has submitted his report thereupon. I think it proper to furnish you with so much of Mr. Johnson's general report as relates to that transaction, and I have further to state that it has been approved by the President. In accordance with the conclusion of the report, I have the honor to advise you that instructions will at once be given to Major General Butler, the acting military authority at New Orleans, to relinquish all claim on behalf of the United States upon the funds in question, so that Count Mejan will be at liberty to pay it to whomsoever may be entitled to receive the same.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

The Viscount TREILHARD, *&c*, *&c*., *&c*.

Mr. Johnson to Mr. Seward.

[Extract.]

WASHINGTON, *August* 19, 1862.

SIR: * * * * * * * *

The item of seven hundred and sixteen thousand one hundred and ninety-six dollars retained by the request or order of Major General Butler in the hands of Count Mejan, the French consul.

This item was not in terms embraced by either of the commissions in my possession whilst I was in New Orleans; but considering it as in the spirit of the first, that of the 10th June, I investigated it, and I am glad to understand that it was the subject of a special authority to me after I left Washington.

1. The general considerations which belong, as I have supposed, to the first item, apply with equal force to this. It is unnecessary to repeat them. The transaction, as will appear by the depositions of Mr. Denégre, the president of the Citizens' Bank, of Mr. E. Dupasseur, and of Mr. Antoine Bidault, the bookkeeper of the house of E. Dupasseur & Co., the claimants, hereto annexed, marked Nos. 1, 2, and 3, was this:

The bank, in addition to the deposit of $800,000 with the agent of Messrs. Hope & Co., needed other credits in Europe. Their principal business was the dealing in foreign exchange, and, to enable them to do this, it was necessary to have a large credit abroad. To effect this object they made this negotiation with Messrs. Dupasseur & Co., known to be perfectly responsible merchants of New Orleans, to wit: to purchase from them bills at certain rates on Paris for the amount of $716,196, and to pay for the same in coin. The bills were not to be accepted until the drawees were advised of the shipment of the coin by Dupasseur & Co. The bills were drawn, delivered to the bank, and the coin handed over to Count Mejan, the French consul, to be retained until shipped. They were remitted by the bank to their correspondents abroad for acceptance, but have not been accepted because the coin has not been sent on.

Things remained in this condition when Major General Butler requested the consul to retain the coin, which he has ever since done.

On these facts the only question is, have the United States a right to the fund? That the transaction was one of perfect good faith is evident from the depositions referred to. It was a mere business matter, in which the parties had a clear right to engage. That the bank at the time owned the coin was not denied. Nor was it questioned that the agreement was entered into and was being carried out when the major general intervened. The United States can have no interest in the coin, except upon the ground of forfeiture, and for that there was not at the time, nor is there now, the slightest pretence. If it be alleged, as matter of suspicion, (the proof is all the other way,) that the purpose of the bank was to place so much of its funds beyond the control of the United States, that, if true, would be no cause of forfeiture, there being no law, State or congressional, to prohibit it. If it be alleged that the purpose was to place the fund in Europe for the advantage of the rebels, the answer is, there is not only no proof of the fact, but the proof actually before me wholly conflicts with it.

The detention of the fund has already caused serious loss to the claimants, Messrs. Dupasseur & Co., (for they are both sufferers,) and I am clear, therefore, in the opinion that it should be restored at the earliest moment. Whether the restoration should be made to the bank or to Dupasseur & Co., is a matter between themselves, with which the United States have no concern; and, as will be seen by the deposition of the president of the bank, the bank desires the return to be made to Messrs. Dupasseur & Co.

* * * * * * * * * *

I have the honor to be, with high regard, your obedient servant,

REVERDY JOHNSON.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Viscount Treilhard.

DEPARTMENT OF STATE,
Washington, August 27, 1862.

SIR: Referring to your note of the 12th instant, relative to the issuing of orders for the purpose of facilitating communications between the French legation here and the consulate of France at Richmond, and to my reply, I now have the honor to enclose to you the copy of a letter of the 23d of this month from the War Department on the subject, from which it would seem that it is not thought practicable or proper, at the present time, to exchange the mails as proposed by your note.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

F. W. SEWARD, *Acting Secretary.*

The Viscount TREILHARD, *&c., &c., &c.*

Mr. Watson to Mr. Seward.

WAR DEPARTMENT,
Washington City, D. C., August 23, 1862.

SIR: I have the honor, by direction of the Secretary of War, to acknowledge the receipt of your communication of the 13th instant, enclosing the translation of a note from Viscount Treilhard, relative to the interchange of communications between the French legation here and the consulate of France at Richmond, and requesting a favorable attention thereto.

In reply the Secretary instructs me respectfully to state that, on reference to the general-in-chief, he reports that he does not think it would be practicable or proper, at the present time, to exchange the mails as proposed.

With great respect, your obedient servant,

P. H. WATSON,
Assistant Secretary of War.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Viscount Treilhard to Mr. Seward.

[Translation.]

LEGATION OF FRANCE IN THE UNITED STATES,
Washington, August 29, 1862.

SIR: I have had the honor to address to you heretofore verbal remarks in regard to certain acts which have marked the beginning of the administration of General Butler at New Orleans. I cannot leave you without a knowledge of how those acts have been estimated by the Emperor's government; and I consequently have the honor of communicating herewith to you an extract from a despatch of Mr. Thouvenel on this subject. I doubt not that the federal government, which has, in a spirit of lofty justice, instituted the mission of the honorable Mr. Reverdy Johnson at New Orleans, will receive in the same spirit observations relative to acts of domestic administration, of which the French residents at New Orleans may have justly complained.

I embrace this opportunity to renew to you, sir, the assurances of my high consideration.

For the minister, and by authority:

VTE. JULES TREILHARD,
First Secretary of the Legation.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Extract of a despatch from Mr. Thouvenel to Mr. Mercier.

[Translation.]

It would be a subject of much regret if the federal government were to regard now otherwise than it seemed to do at first the acts of General Butler; and if the sending of Mr. Reverdy Johnson to New Orleans should not have the results which we expected from it, I cannot suppose that the cabinet at Washington will refuse to admit how just and natural are the remarks which you have already addressed to it in regard to the situation in which General Butler's administration was calculated to place our countrymen and other foreign residents. It is not a question, in fact, of treating them as privileged, but merely of taking into equitable account the difference of position. We assuredly do not intend to investigate whether the federal government is right or wrong in subjecting the communities which it places again under its authority to impositions of war or to fines, with a view of punishing them for their previous attitude. What we limit ourselves to asking is, that these measures of reprisal may not reach our countrymen, who are only armed for the maintenance of public order, and who have, in fact, lived so foreign to all the political events which were taking place around them that no kind of resentment should be evinced towards them. It is therefore by good right that you have protested, and that you may still protest, if necessary, against measures like that, for instance, which sought to compel certain French retail dealers, who had already paid the State of Louisiana the sum established by the law of the land for their licenses, to pay the amount a second time.

Mr. Seward to Viscount Treilhard.

DEPARTMENT OF STATE,
Washington, September 4, 1862.

SIR: I have the honor to acknowledge the receipt of your note of the 29th ultimo, relative to a proposed tax on Messrs. Rocheran & Co., of New Orleans, pursuant to an order of Major General Butler of the 4th ultimo. In reply I have the honor to acquaint you that this department has requested the Secretary of War to direct General George F. Shepley, at present the military governor at New Orleans, to inquire into and report upon the subject.

On my return to this city I find also your note of the 29th of August, to which is annexed a copy of a despatch which you inform me was recently addressed by Mr. Thouvenel to Mr. Mercier, on the subject of the conduct of civil affairs affecting Frenchmen residing in New Orleans.

It gives me pleasure to acknowledge the candid and liberal spirit which pervades that despatch.

It may be useful to you to know that since the date of that paper, and later than the dates of any complaints from New Orleans which have reached this department, Brigadier General Shepley, who had long before been appointed military governor of Louisiana, has, after some unavoidable delay, actually entered upon the exercise of his functions; and the President thinks himself justified in expecting that Governor Shepley's administration of civil affairs will be conducted in a spirit of justice and liberality towards all parties who are loyal to the government of the United States, and especially towards foreigners, residents therein, who do not abuse the protection of the government to favor the treasonable purposes of its domestic enemies.

The President will take care, as he has hitherto done, to prevent the practice of any unnecessary severities towards that class of persons, and especially towards Frenchmen of that class. It affords this government much pleasure to acknowledge that, in general, the subjects of the Emperor have borne themselves with moderation and especial forbearance from injurious undertakings during our unhappy civil war. For this reason the President especially desires to redress every just complaint that may have arisen or may hereafter unavoidably arise in behalf of any subjects of his Majesty. It must, however, be understood to be of all things the most difficult for an interested party, like the United States, to weigh the merits of claims which are presented by a friendly government, like France, in behalf of its interested subjects, amid the irritations, excitements, and confusion of civil war. The French government must necessarily experience some difficulty in weighing such complaints as are preferred by such subjects against the United States. Moreover, it may happen that questions may arise between the two governments, or between citizens of the United States and France, out of transactions incident to the present civil war or the war of France against Mexico. Under these circumstances it has occurred to the President that it might tend to a more speedy adjustment of all such claims, and to the preservation of a good understanding between the two governments, if they should enter into a convention for a prompt settlement of claims of the classes to which I have referred, by a board of commissioners to be mutually agreed upon for that purpose. A proposition of such effect has been made by the United States to Great Britain, and it is understood that it will be accepted. I shall be pleased if you think it of sufficient importance to bring any suggestion for such a convention with France to the notice of Mr. Thouvenel.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Viscount JULES TREILHARD, *&c., &c., &c.*

Extract from a despatch of Mr. Thouvenel to Mr. Mercier, under date of the 19th of September, 1862.

[Translation.]

* * * Towards the end of the last month, the minister of the United States at Paris has unofficially communicated to me a correspondence, exchanged on the 21st of July, between General Butler, superior commander at New Orleans, and the federal commissioner of customs of that city, the purpose of which was to insure every desirable facility for the free exportation of the productions of Louisiana.

In a quite recent and also unofficial communication, Mr. Dayton has just brought to my knowledge a new document, from which it appears that General Sherman had published at Memphis an order from Major General Grant removing all prohibitions or restrictions interrupting the transportation and sale of cotton in the market of that city.

Viscount Treilhard to Mr. Seward.

[Translation.]

LEGATION OF FRANCE IN THE UNITED STATES,
Washington, October 6, 1862.

SIR: The manager of the consulate of France at New Orleans has just informed me of three affairs which interest Frenchmen in that city, and which I hasten to commend to the kind attention of the government of the United States.

The first, as appears from the documents herewith annexed, under the number 1, is in relation to various lots of sugar belonging to Messrs. Richard Aldigé & Co., and to Messrs. Goodchaux.

The sugars were deposited in the warehouses of the custom-house of New Orleans at the period of the occupation of that city by the federal troops, and the collector of customs refused to give them up for consumption without an order from the Secretary of the Treasury. At the same time Mr. Dennison, as he has assured our counsel, wrote to Washington in behalf of the interested parties, but, up to the present time, has received no answer in this regard. I therefore step forward to solicit that the necessary orders may be transmitted to New Orleans to have the goods, which have been temporarily sequestered, restored to their owners. Longer delay would lead to the deterioration of the sugars, and would deprive the parties concerned of the legitimate profits which they are enabled to realize at this time.

The second affair relates to two lots of printing paper, belonging to Mr. Charles Harispe, which Major General Butler caused to be seized in the warehouses of the custom-house to supply the wants of the newspaper, the Delta. I annex hereto, under the number 2, a copy of Mr. Harispe's letter, and I can only submit to your judgment the arbitrary proceeding of which this Frenchman has been the victim, entreating a prompt decision on this matter.

Finally, the third affair of which I have spoken to you, sir, is connected with a series of more than arbitrary acts, which are represented to have been committed, by orders of federal authorities, on a plantation belonging to French citizens. I have the honor to send you herewith, under the number 3, the copy of a letter which, on this occasion, was addressed to our agent at New Orleans by Mr. Paul Vidal, in his own behalf, and in behalf of Messrs. G. Levois and L. C. Chauvin, French subjects. To that letter is annexed a statement of losses which have been sustained.

I embrace this opportunity, sir, to renew to you the assurances of my high consideration.

For the minister: VTE. JULES TREILHARD,
First Secretary of the Legation.

No. 1.

[Translation]

NEW ORLEANS, *August* 29, 1862.

MR. CONSUL: On the 14th of March last we bought of Messrs. Roman & Olivier, agents of the St. James sugar refinery, on account of Mr. L. H. Richard, a French citizen residing at Paris, forty-one barrels of white sugar. We bought likewise, of the same house, and on account of the same person, forty-six barrels, on the 24th of March, and two hundred and one barrels on the 3d of April following. These two hundred and eighty-eight barrels were placed on storage in the warehouse of Messrs. Laure & Le Blanc, Toulouse street, at a price agreed on beforehand for the said storage.

Having received from Mr. Richards instructions to send him funds, we endeavored to get rid of the sugars. Great was our astonishment on learning from Messrs. Laure & Le Blanc that, according to orders received from the custom-house authorities of the United States in our city, they could not give up those sugars without a special permit from the collector of customs. One of our partners went at different times to Mr. Gray, deputy collector, to inquire of him what he intended to do with those articles. Mr. Gray always replied that he was expecting by every steamer an answer from Washington, and that until then it was impossible to give us a positive answer.

Mr. Dennison, the collector of the port, on being consulted this week by this same partner of ours, replied that he expected very soon an answer from Washington to the letter which he had sent in regard to these sugars, but that he could not deliver them to us until he had received permission from his government.

We have taken the liberty, Mr. Consul, of addressing you this letter with a view of acquainting you with all these facts which concern a French citizen now out of this country.

The 288 barrels above mentioned represent a value of five thousand seven hundred and eight dollars and forty-six cents, the amount expended in the purchase of the sugar. The favor which this article enjoys in our market commands for it at present a profit of at least twenty per cent., and it is greatly to be feared that Mr. Richard will lose not only this profit, but even a part of the principal, if this unjust and illegal seizure, which prevents us from disposing of those sugars, is kept up a few days longer.

Be pleased to accept, &c.,

RICHARD ALDIGE & CO.

[Translation]

Twenty-five hogsheads of sugar, marked "Esperance," weighing 33,800 pounds, stored in the "Whitehead" warehouse on the 17th of June, 1862, by Goodchaux Brothers.

We went to the house of Mr. Dennison, the collector of customs in this city, to obtain the delivery of said sugar, whereupon the said Mr. Dennison replied that he had written to Washington for this.

After waiting nearly two months we have not yet obtained the delivery of the said sugar, as the collector tells us he has not yet received any answer to his letter.

The sugar is worth at this time ten cents a pound, and we are in a position to use the proceeds of said sugar very advantageously. Moreover, if the sugar is kept still longer in warehouse the price and the weight may diminish.

Now we ask all the advantages of the market from this time until its delivery, and, also, compensation for all losses which may occur in consequence of the detention of said sugar

GOODCHAUX BROTHERS.

No. 2.

[Translation.]

NEW ORLEANS, *September* 16, 1862.

SIR: By the Spanish steamboat Cardenas, which arrived a few days ago from Havana, my mercantile firm, Castillo & Harispe, received 250 bundles marked [C], containing 500¼ reams of white printing paper (1) of *double size* and American manufacture, purchased at New York and sent to the mart of Havana, to be thence forwarded here.

This paper was sent, as usual, to the custom-house, and while my clerk, Mr. Justin Durel, was getting it insured, or secured, he was accosted by Lieutenant Colonel Brown, of the eighth regiment of Vermont volunteers, invested with the direction of the newspaper "The Daily Delta," who asked him if the paper was for sale. On his answering in the affirmative, he asked him the price of it. Not being able to tell him, he referred him to me.

On the next day Mr. Brown came to my counting-room. I told him that I asked nothing better than to sell him the paper, but that my friends having failed to transmit certain documents which were necessary in order that it might be entered for consumption without paying the customs duties, I could not dispose of it unless, through his influence, the custom-house would consent to deliver it to me on condition that I should furnish, as soon as possible, the documents that were wanting, to which I was quite ready to bind myself. Mr. Brown made some objections to my proposition, but seemed desirous to have the paper. Having received by the preceding trip of the steamer Cardenas another lot of 100 reams of printing paper, and wishing to oblige Mr. Brown

I offered it to him. He answered me that he supposed that that paper was not in the customs warehouses. I told him that it must be there, and that I had just sent a clerk to the custom-house to pay the duties on it. Mr. Brown insisted on having the lot of 500 reams. I requested him to return on the next day so that I could tell him the price of each of the lots, because that of 500 reams came included in an invoice with several other articles of merchandise, and that, besides the difficulty above mentioned with the custom-house, it was not easy for me to fix the price right away.

On the next day Mr. Brown returned and asked me if I had ascertained the net cost of the 500 reams. I answered him that I had not been able to do so in a satisfactory manner, but that I could sell him the lot of 100 reams at $5 50 the ream, according to a minute calculation which I showed him. He answered me, as on the evening before, that that paper was not in the custom-house, and, changing his tone, he told me that he wanted the 500 reams, and to tell him a price. I answered him that, seeing that he insisted so much, I would sell him the paper at $9 50 the ream, he answering to the custom-house for the duties. This price was 50 cents a ream lower than that which he had paid a few days before for a lot of 75 reams, which one of my friends, Mr. Jules Sazerac, of New York, had sold to him. Nevertheless he found my price excessive, and seeing that I was unwilling to make any concession to him, he told me *that he could dispose of my paper if he so wished.* I told him that I did not doubt but he could do so, but that I warned him that I was a foreigner, and that the paper was also foreign property. He withdrew without saying another word.

Two days afterwards I learned that the 500 reams of paper had been taken from the custom-house by Lieutenant Colonel Brown in virtue of an order from Major General Butler, of which a copy has been handed to me by the collector of customs.

Desirous of settling this affair without making it the subject of a reclamation, I presented to Lieutenant Colonel Brown, conformably to what is directed in the order of seizure of General Butler as regards payment, the invoice of the 500 reams, at the rate of $9 50 the ream, *taken at the custom-house*, the price at which I had offered to sell them to him before the seizure. He refused to pay it, under the pretext that he could not do so without a special order from General Butler.

I had been to see General Butler, who, contrary to the condition made by himself, has signified to me that my paper will not be paid for until I shall furnish a certificate showing that it is an American production, so that it can be imported for consumption free of duties, since, otherwise, its price would be much too high. The general added, that meanwhile my paper was as safe in the possession of the department of the Gulf as in the customs warehouses.

The said invoice amounted to $4,752 37—the value on the 13th instant when the paper was seized.

Having in vain exhausted the means in my power to recover this sum, I proceed to protest before you against the proper parties, and to request you immediately to give to this affair such results as you may deem suitable for duly indemnifying my firm for the injustice of which it has been the victim.

I have the honor to be, Mr. Consul, &c.,

CH. HARISPE.

[Here follows General Butler's order and Collector Dennison's certificate, both in English.]

[Translation.]

New Orleans, *September* 18, 1862.

Sir: We have possessed for 19 years a sugar plantation known by the name of the "Star Plantation," situated about 33 miles above this city, on the right bank of the Mississippi.

We were in the peaceable and unequivocal enjoyment of this plantation, when lately, as you will see below, by arbitrary acts of the federal authorities at New Orleans, we have sustained considerable losses.

Some particulars of what has taken place will show you the losses which we have experienced, and will give you a glance at the nature of the acts committed by the officers of the United States, acting in virtue of orders emanating from the headquarters of the department of the Gulf.

At two different periods General Butler has sent detachments of cavalry and infantry of the army of the United States, under the command of Col. Thomas, to various points above New Orleans.

The first of these expeditions dates back to the 29th of August last, when Lieutenant Perkins was detached by Colonel Thomas with a picket of federal soldiers, and came to make a search on our plantation. The only excuse which he invoked to justify this violation of domicil was that the United States had the most pressing need of animals and of various articles that could be found on the plantation. In spite of the energetic protestations of our manager, they took possession of a great number of animals and of various articles, of which an inventory is herewith annexed under the letter A. The whole were sent to New Orleans.

A few days afterwards, on the 8th and 9th of the present month, a detachment of troops of the United States committed a similar violation of domicil, and again carried away animals and various articles. This detachment, moreover, committed numerous depredations. The losses to which this second expedition subjected us are enumerated in the memorandum B. Besides this, the soldiers of the United States induced our slaves to escape by promising them the protection of the federal authorities. Encouraged by the support which was promised them, they left our plantation, and took refuge in the federal camps. An inventory of said slaves is annexed, and is designated by the letter C.

Our manager has been unable to obtain any receipt for the articles carried off in the name of the government. It has been in vain that on our part we have implored General Butler. We have to abandon now the idea of making a direct claim on the representative of the federal government at New Orleans; but we have recourse to you, Mr. Consul, persuaded, as we are, that you will take the necessary steps to obtain from the government of the United States what we have been unable to obtain in a friendly manner from its representative here.

We reserve to ourselves, moreover, the right to claim hereafter such sums as may be due us for the loss which will be sustained by our standing crop, which is seriously jeopardized in consequence of the taking away the stock which is necessary to its cultivation.

We have the honor, &c., &c.,

PAUL VIDAL.

The Consul of France *at New Orleans.*

[Translation.]

Document A.

One stallion, of pure blood, named Black Eagle	$1, 500
Two mares, of pure blood	1, 600
One carriage horse	500
Four young horses, of pure blood	1, 200
Twenty work mules, at $225	4, 500
Twenty-five Merino sheep	300
Fourteen cows, of pure blood, One bull, Sixteen heifers and calves,	3, 000
Saddles, bridles, and harness	200
	12, 800

Twelve thousand eight hundred dollars.

[Translation.]

Document B.

Fifteen work mules, at $225	$3, 375 00
Three carts and harness for nine mules	400 00
One cart, broken on place	100 00
One saddle horse and one cabriolet	500 00
One hogshead of sugar weighing 1,200 pounds, at 10 cents	120 00
Ten barrels of flour	120 00
Six barrels of mess pork	132 00
One tierce of shoulders	88 00
Two barrels of lamp oil, 41 gallons, at $2 50	92 25
Fifteen gallons of lard oil	41 25
Taken a chest carpenter's tools	175 00
Injuries to steam-engine	1, 000 00
Wines, liquors, groceries, crockery ware, &c	500 00
Clothes and shoes for the negroes	600 00
Six hogs and vault the back yard	150 00
Fifty barrels of Indian corn	50 00
	7, 443 50

Seven thousand four hundred and forty-three dollars and fifty cents.

[Translation]

Document C.

Sixty-six negroes, worth sixty-six thousand dollars.

[Translation.]

Recapitulation.

Document A	$12,800 00
Document B	7,443 50
Document C	66,000 00
	86,243 50

Eighty-six thousand two hundred and forty-three dollars and fifty cents.

PAUL VIDAL.

RUSSIA.

Mr. Clay to Mr. Seward.

No. 15.] St. Petersburg, *Russia, January* 7, 1862.

Sir: In this critical time, whether war or peace with England ensues, I deem it my duty to give the President my impressions of European sentiment; for only by a sum of all the opinions of all the foreign agents can an opinion be properly formed with regard to the nations.

The monarchies of Europe have always regarded our republic with jealousy and distrust, because it was an ever-living protest against any other than self-government. They are injured by us, because the immigration to us of men, money, and the arts, is to them a great and increasing loss. They have just cause to fear us, because of our expansion by the acquisition of territory. They say our republic, by "annexation," by which other nations or fragments of nations are united to us, by consent or partial force—by our sharing with them a common liberty—is an advantage which monarchies and aristocracies cannot avail themselves of; that by this means we have already greatly increased our domain; that we threaten the absorption of the isles of the western Atlantic and the Pacific, of Canada, of the Isthmus, of Mexico, and of South America; that our mercantile aptness equals that of England and surpasses that of France and the other nations; that this gives us the power, and they fear the inclination, to interfere at no distant day with European governments, which threatens their ruling classes, and, perhaps, their national existence; that the great European system of the balance of power must now be extended to America; that, perhaps, it would not have been expedient to have made war upon us to weaken us, but that now, we having divided ourselves, self-interest, if not self-preservation, demands that that division should be made permanent. This would give a fatal blow to the prestige of republicanism, and by compelling the two republics to keep up, by onerous taxation, an extensive system of fortifications and standing armies, they would both be too well balanced and too much weakened to disturb others, either by the force of their example or the power of their arms. These are the views and avowals of the European aristocracy, and especially those of England.

But the same aristocracies, and especially England, have in private intercourse, in public speeches, in the newspaper press, and in their works of a more permanent nature, persistently denounced the republic on account of slavery in some of the States. We said in defence that we inherited that relic of barbarism from our ancestors, and especially those of the British isles. That institutions so thoroughly the web of all society could not be readily and safely changed. We asked time and advancing civilization to help us. Besides, slavery was a State creation, and the national Union could not justly or constitutionally reach it there, and of course we could not be held responsible for its existence. But we acknowledged its evils and its wrongs, and to some extent complicity in its maintenance. Thereupon the liberal party, moved by the highest impulses of world-wide justice and the purest conscientiousness, took counsel to exclude slavery from all places of exclusive national jurisdiction—to enforce in good faith the laws against the slave trade; to exclude it from the national territories, and to cease to bend our domestic and foreign policy to its support. These were the avowed principles of the republican party, standing upon the Constitution and the eternal laws of justice and liberty. Upon this issue the slave States met us, avowing that slavery was the corner-stone of all real progress and safety, and since they could no longer use the Union they would ruin it, and seek security for themselves in an independent government.

Having thus followed in the lead of the European philanthropists, we had a right to expect their moral if not their physical support, aid, and comfort. But no: they denied the facts of history to shield themselves from the damnation of their great hypocrisy! Said they, the slavery question has nothing to do with the American issue: it is one of distinct interests—of a tariff and commerce; they contend not for principles, but for prowess. In vain we urged that the rebel States had controlling congressional power of the whole tariff question up to the time of the result. In vain we showed there could be no real antagonism between the north and the south; that we were the same race, spoke the same language, had the same religion, common commercial interests, and were one in geographical unity. In vain we plead that a separation of States violated the theory of our republicanism, which gives no sanction of right to the rebels, for our Union was one and indivisible by the Constitution and majority of the people themselves. The more we defended our right, the plainer the justice of our cause, the more violent our enemies became. Their jealousy, their secret hate, their blind vengeance verges upon insanity. At one time they blame us for our supineness in allowing the Union to drift into ruin; at another time for our cruel and remorseless thirst for "fratricidal strife." Now, if we were real emancipationists we could claim their sympathy; then, when abolition seems to threaten to rise into the ascendant, with affected horror they cry out against the barbarism of a servile war. Hence all the speculations on our side of the ocean in favor of peace and the good will of Europe, founded upon ordinary ideas of philanthropy, cotton and commercial interests, will all prove delusive. You must recur to the motives set forth in the first part of this letter, from all of which there can be drawn but this conclusion: they renew with us the fable of the wolf and the lamb; though we are below on the mountain stream, we are accused of muddying the waters?

We ought, then, at once to fortify our coast lines everywhere. We ought to commence at once a war navy of iron vessels, on the seas and the lakes—first capable of protecting the seaport towns, and next taking the ocean against all enemies. The militia should again in all the States be armed and disciplined, ready to move in a day. This could be done without injury to the ordinary business of the people. I think the army should in no case be increased for the general service, but its efficiency increased, and a portion of it be capable of release as a *reserve*, by *permanent fortifications* at suitable places. We should put ourselves at the head of all the nations of America in a league of common defence against European intervention and invasion. In case of war with England, Canada should be seized at all hazards. A large force should be first placed in fortifications in some place suitable near the coast, which would cut off re-enforcements from England. Union with us, with equal rights, should be offered the Canadians, and the lives and property of friends secured. Men and money should be sent into Ireland, India, and all the British dominions, all over the world, to stir up revolt. Our cause is just; and vengeance will sooner or later overtake that perfidious aristocracy.

I have always thought that the whole property of the rebels, slaves and all, should be summarily confiscated. On the subject of slavery, my motto is now, and ever has been, "Delenda est Carthago." At the same time I would keep the olive branch ever extended in the other hand, constitutional guarantees and general amnesty to the rebels if they would lay down their arms and return to their duty and the Union. And here is our real danger—a *division* of the unionists between these extremes. The first duty of every man is to secure the restoration of the Union. To do this, we must have unity of counsel and action. That unity can only be attained by supporting "the powers that be." I would say, then, to our "radical friends," let us advise the President, in and out of Congress, but leave him to conduct the war upon his own convictions of right and possible success, and our whole duty then will be to support him with all the moral and physical strength of the republic. I see dangers ahead; I hear of factions and fear divisions! Hence I come forward to enter my protest against them to friend and foe. The President, if he deems it worth while, may use these words of mine as he deems best. I am willing to stand by him upon his last congressional message for the sake of unity, liberty, and Union. And may God save the commonweath.

Very truly, your obedient servant,

C. M. CLAY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Clay to Mr. Seward.

No. 17]
LEGATION OF THE UNITED STATES,
St. Petersburg, January 24, 1862.

SIR: I called on Prince Gortchacow to-day, at his own request, when he read me the letter which he had already despatched to Baron (M.) de Stoeckl, congratulating our government upon its late adjustment of the Trent affair. The letter you will perceive is well written, and very favorable in its tone to our government. He asked what I thought of its publication here within a week. I said it was somewhat unusual, but the British government have published diplomatic correspondence before it was complete by arrival at its destination. He added if I thought it would aid us in this crisis of public formation of opinion in Europe, that he would have it then put in the official paper, being the St. Petersburg Journal. I told him I liked the style and spirit of the letter, and believed it would greatly forward our interests by its immediate publication. He responded that he was anxious to do us all the good offices possible (without interfering directly in our home troubles) as the great American nation, and that he would then publish it at once. He then repeated to me his wishes for the restoration of the Union. He expressed his fears, if any reverse should happen to us, that England would at once make common cause with the south, acknowledge her independence, and finally break down the power of the republic. He said, in addition, that if we should succeed in conquering the south that we would have a sore and discontented population upon our hands, which would ever prove a source of weakness, and that he felt that we ought to make a generous offer of reconciliation to the south. I responded that I agreed with him; that we were always and are now ready to deal justly and generously with the south should she be willing to listen to reason, but, failing to hear our appeals, that we would war it out to the bitter end before we would allow our natural boundaries to be broken by them. I must confess that I very much fear

England's interference. My first impressions in Europe are not changed nor weakened, but rather strengthened. Nothing but quick and effective success will save us from foreign enemies. If slavery could be rooted out of our system, I think any sacrifice of life and money now would not be too much to pay for such consummation. But, as it seems now to be determined to stand by slaveholders' rights though all others may perish, I confess I think that urgent appeals ought to be made at once to the south to save itself by accepting anew the Constitution and the Union, with all guarantees of slavery, as of old, unequivocally expressed. This should, however, be a secret and confidential proffer of the administration, without making its publication demoralize the troops and the country. For my part, I venture to suggest that the President send one of his most able diplomatists to Jeff. Davis's government, in an unofficial way, with the olive branch, ready, upon the gaining of any victory of importance on our part, to win him back to allegiance. You think you can trust England. I do not. So I would prepare at once for a war with that power, as an inevitable result of any reverses which would prevent a subjection of the south before the first of April next. But you may have sources of forming an opinion which are not open to me. I tell you simply how I look at this issue. One thing is certain: war or no war, Portland harbor ought to be at once fortified in the most permanent and effective manner. The tones of European governments are greatly changed since the rendition of Mason and Slidell. If England now seeks a quarrel with us, we will have all liberal Europe on our side. But she never cares what people think when she sees her way open to success. Upon our own strong right arm we must rest.

I trust you will pardon me for so often venturing to make suggestions in reference to our home affairs. My anxiety about the issue must plead my apology.

I have the honor to be your obedient servant,

C. M. CLAY.

Hon. W. H. Seward,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Clay.

No. 30.]

Department of State,
Washington, February 4, 1862.

Sir: Your despatch of January 7, in which you survey the condition of the country at home, as well as its relations abroad, has been received and submitted to the President.

There is, I fear, too much of truth and justice in the views of European sentiment which you present, as there is also in your estimate of the domestic trials and dangers through which we have to pass. But, on the other hand, the clear moral right, as well as no inconsiderable moral and material strength and power, are on the side of the Union. The sentiment of devotion to it, and the principle of making that devotion the great element of political action, happily every day gain intensity, as well as expansion, equally in Congress and among the people. The confidence of the government is built in some measure upon its plans of the campaign which is opening, and these plans cannot wisely be made known. I must be content, therefore, with assuring you that the doubts or fears which our representatives abroad continually present to us find no lodgement whatever in our own minds.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Cassius M. Clay, Esq., &c., &c., &c.

Mr. Cameron to Mr. Seward.

No. 2.] LEGATION OF THE UNITED STATES,
St. Petersburg, June 26, 1862.

SIR: I have the honor to inform you that I arrived here on the night of the 15th instant, and was received by Mr. Clay, who was awaiting my arrival. On Monday I made application for an interview with Prince Gortchacow, minister of foreign affairs, who appointed the following day (17th) at noon. In company with Mr. Clay I called upon the prince at the foreign office. He received me with cordiality, and in the course of our brief but very satisfactory conversation expressed his most earnest desire for the termination of our domestic difficulties. He informed me that the Emperor had removed his residence to his summer palace of Tzarsko-Selo, where my presentation to his Majesty would probably take place.

On the 19th, however, I received a note from the prince, stating that the Emperor would come to St. Petersburg and give me an interview at the winter palace on Tuesday, the 24th instant. This unexpected courtesy on his part was doubly agreeable, since it gave an assurance, in advance, of the special kindliness of his sentiments towards us. Shortly before the hour appointed, on the 24th, notice was sent to me that, on account of some private reason which prevented the Emperor from coming to St. Petersburg on that day, the audience was postponed until the 25th.

At noon, therefore, in company with Mr. Clay—whose audience of leave was appointed for the same time—and with Mr. Taylor, secretary of legation, I proceeded to the winter palace. We were conducted to the ante-room, adjoining the Emperor's cabinet, where we were received by the grand chamberlain, Count Schouvaloff, and the master of ceremonies, Count de Ribeaupierre. Mr. Clay was first summoned to the imperial presence to deliver his letter of recall and take his official leave, after which I was presented to his Majesty. The remarks which I made on delivering to him my letter of credence are given, in substance, in the paper (A) accompanying this despatch. He listened to them with attention, interrupting me several times to express his hearty concurrence in my views. A conversation followed, which lasted for more than half an hour, and during which the Emperor, by his questions and observations, exhibited not only his profound interest in everything relating to our country, but his accurate knowledge of her present situation. He declared, frankly, that his sympathies had always been cordially with us; that he was very anxious the United States, as a nation, should suffer no diminution of power or influence; our interests and those of Russia were in many respects identical, and he was desirous to hasten, by all the means in his power, the progress of that telegraphic enterprise which will enable the two governments to communicate directly with each other. He referred to his efforts in regard to the emancipation of the serfs, and manifested a great interest concerning the solution of the question of slavery in the United States.

The Emperor was exceedingly plain, frank, and unostentatious in his demeanor. The unusual length of the interview, as well as unaffected earnestness and sincerity of his expressions, gave evidence that he desired to make a special manifestation of his friendship for our country and government. Both on entering and leaving his cabinet he gave me his hand with cordial familiarity. This practical experience of the good faith of those professions of sympathy with the United States which Russia now makes, as she has heretofore made—not only unimpaired but strengthened by the knowledge of our national trials—has afforded me the most profound gratification.

At the close of the interview Mr. Bayard Taylor, secretary of legation, was presented to the Emperor.

Mr. Clay will leave for the United States as soon as he has had his audience of leave from the Empress and the other members of the imperial family.

I have the honor to be your obedient servant,

SIMON CAMERON.

Hon. William H. Seward,
Secretary of State.

(A.)

I am instructed by the President to convey to your Imperial Majesty the assurances of his desire to perpetuate the friendly relations which have so long existed between Russia and the United States.

In addition to our obligations for ancient evidences of friendship, he as well as our whole people feel an abiding gratitude for the prompt and cordial sympathy which we have received from your Majesty in our successful efforts to subdue an unnatural rebellion.

Knowing the exalted opinion entertained by the President of the United States, and by the American people, towards your Majesty, I could not but consider my appointment of minister to your court the highest honor which could have been conferred upon me.

No two governments in christendom differ more widely in some respects than Russia and the United States, yet both seem best adapted to promote the happiness and prosperity of their respective people. Both are at present engaged in a social change, and have imposed upon them a national duty similar in character, and promising alike results equally vital and glorious to either nation.

This social change is the emancipation of labor, in effecting which your Majesty has so nobly led the way, and which the free masses of my own country are now so heroically emulating under the guidance of divine providence.

We believe that the peace as well as the material interests of all nations will be best subserved by the continuance of the power and prosperity of Russia in the Old World, and on the new continent by the perpetuity of the system adopted by the United States.

Let me assure your Majesty that recent events abundantly prove that my government is able to meet all exigencies, and to perform her whole duty to humanity. Her system does not admit of large standing armies in time of peace, but the promptitude with which her citizens came to the call of the President, and the existence of our present mighty army, prove that we shall never want soldiers to maintain our domestic security or to defend our national honor.

It is remarkable that Russia and the United States are the only two great powers of the world whose friendship can never be disturbed by rival interests. Your Majesty is extending civilization to the far east, while the people of my country are carrying the blessings of our government to the extreme west. In this mutual advance your telegraph will soon join ours, so that St. Petersburg and Washington may converse with each other without the wires being touched by unfriendly hands.

It will afford me unfeigned pleasure to represent my country in this spirit, and to take every proper occasion for drawing still closer the bonds of amity between the two nations.

Mr. Seward to Mr. Cameron.

No. 5.] Department of State,
Washington, July 23, 1862.

Sir: Your despatch of June 26 (No. 2) has been received. The account which it gives of your reception by his Majesty, and by his enlightened minister for foreign affairs, Prince Gortchacow, is very gratifying. And the President especially desires that the government and people of Russia may by your good offices be kept entirely satisfied that they enjoy the cordial friendship of the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Simon Cameron, Esq., *&c., &c., &c.*

Mr. Cameron to Mr. Seward.

No. 4.] Legation of the United States,
St. Petersburg, July 23, 1862.

Sir: I have the honor to inform you that, after receiving your communication of June 9, relative to Mr. Collins's plan of telegraphic communication between Russia and the United States, I requested of Prince Gortchacow an interview, for the purpose of an informal conversation upon the subject previous to the arrival of Mr. Collins. His excellency, who has not been in the city since my presentation to the Emperor, on the 25th ultimo, at once replied, stating that he would be happy to receive me at the imperial palace of Peterhof, about 18 miles from here, on the following day, Wednesday, the 16th instant. I presented myself at the appointed time, and was very cordially received by the Prince, who, however, while expressing the greatest interest in the proposed enterprise, desired that the plan of it should be presented in a definite form. This I promised to do immediately after the arrival of Mr. Collins. You will perceive from the remarks which I made to the Emperor on presenting my credentials, (communicated in despatch No. 2,) that I had already anticipated your instructions so far as to mention the subject to his Imperial Majesty. From the readiness with which he assented to the suggestion, as well as from the expressions used by Prince Gortchacow, I consider myself justified in inferring that Russia will be ready at the proper moment to co-operate with the United States in forwarding any plan of telegraphic communication between the two countries which shall seem to offer a reasonable chance of success.

I was accompanied to Peterhof by the other members of my family, including Mr. Bayard Taylor, secretary of legation, and by Mr. Haldeman, United States minister resident at Stockholm, who has paid me a brief visit. Prince Gortchacow, having been informed of the fact, (possibly by the hereditary prince, the Grand Duke Nicholas, who went to Peterhoff by the same train,) immediately despatched an imperial equipage, in order to convey the party to the palace, where a suite of rooms was placed at their disposal. After my interview a carriage and attendants were again furnished, and we were taken through all parts of the magnificent park and gardens. The immense system of artificial cataracts and fountains which is ranked among the finest hydraulic exhibitions in Europe was set in operation in order that we might witness it, and on our return to the palace we found that a sumptuous dinner had been provided. I take the liberty of mentioning these unusual marks of attention as another gratifying evidence of a special desire, on the part of the Emperor and his ministers, to impress our government, through its representative here, with the sincerity of their friendly sentiments.

There is no capital in Europe where the loyal American meets with such universal sympathy as St. Petersburg; none where the suppression of our unnatural rebellion will be hailed with more genuine satisfaction.

The "Journal de St. Petersburg," the government organ here, continually cautions its readers against being deceived by the despatches from Renter's Telegraphic bureau, in London—an office which the secessionists appear to have suborned, in order to distort the American news which it communicates to all the principal newspapers of the continent. During the past week the Journal actually went so far in its generous partisanship for the Union as to omit a despatch from Renter, which appeared in the German papers, stating that the Union loss in the late battles before Richmond was from ten to thirty thousand men, and that the rebels had taken twelve thousand prisoners.

Nevertheless, it is right that I should express my conviction, slowly reached after a comparison of the principal European journals, that the idea of foreign intervention in the affairs of the United States is gradually becoming more familiar.

Europe is growing impatient under the loss which our struggle entails upon her; and the friends of the rebellion, counting not only its special agents, but the large class of those who view with dislike or dread the vast growth of our nation, are insidiously occupied in suggesting pretexts which would justify such an intervention in the eyes of the world.

A renewal of our previous successes, or the assumption of a policy as active and vigorous as the means of the government allow, may frustrate this plan; but every day of a delay, the necessity of which is not so patent that our enemies cannot possibly seize upon it as an evidence of weakness, adds to the danger.

I feel impelled to make this statement of the conclusion at which I have arrived, because I am not sure that the imminence of the danger is so apparent to the government of the United States. All those signs and indications which run before a step of this kind, and surely prepare the way for it, might easily escape the eyes of those who are so fully occupied with the great task before them. It is my duty to omit nothing, the knowledge of which may be of advantage to the government—least of all a point of such vast importance—and I trust that the foregoing words may be received, not as offered in the spirit of intrusive advice, but of solemn conviction.

I have the honor to be, with sentiments of the highest respect, your obedient servant,

SIMON CAMERON.

Hon. William H. Seward,
Secretary of State.

Mr. Seward to Mr. Cameron.

No. 7.]

Department of State,
Washington, July 28, 1862.

Sir: A communication from Mr. Clay, bearing date June 27, and not marked as a despatch, has been received. It gives an interesting account of the audience of leave granted him by the Emperor. The speech made by Mr. Clay was so just in its expressions of the sentiments of the President and of the American people, and the reply of his Majesty was so generous and faithful, that it is thought proper that you should acquaint Prince Gortchacow that the whole transaction is regarded with the highest satisfaction by this government. I cannot refrain from expressing a hope that your mission may be as fortunate as that of your loyal predecessor, who returns to us to exchange diplomacy for the sterner duties of the field.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

SIMON CAMERON, Esq., *&c.*, *&c.*, *&c.*

Mr. Cameron to Mr. Seward.

No. 5.]

LEGATION OF THE UNITED STATES.
St. Petersburg, August 5, 1862.

SIR: I have the honor to acknowledge the receipt of your despatches of the 8th, 12th, and 14th ultimo, communicating copies of the Senate resolution in respect to the expediency of providing for the appointment of consuls at the ports of Nicolaieff and Kherson; of the new regulation relating to passports; and of the emancipation bill communicated to Congress by the President.

With regard to the first of these subjects, the necessary information will be forwarded as soon as it can be procured; and I shall take occasion, at the same time, to make a few suggestions concerning the consulates already established in Russia. The order concerning passports and the registry of fees, therefore, has been put in operation. I have read with great satisfaction the bill submitted to Congress by the President, embodying his plan of emancipation in the border States. It is an equitable and practicable method of retaining those States permanently in the Union; since it is very evident, viewing the vital question which underlies our struggle from this distance, stripped of its local or temporary coloring, that upon no other basis can the future of our country be rendered secure. I am very glad to be able to inform you that the measure proposed by the President is considered, not only by all American citizens whom I have met here, but by all intelligent Russian statesmen, as exceedingly liberal and generous. It is hoped that the States in question will soon avail themselves of the offer it holds out; but if, unhappily, they should fail to do so, the judgment of Europe will uphold the President in the adoption of whatever measures may be necessary to secure the important end.

The evidences of a sterner policy on the part of the administration, which the last mails from America have brought us, revive the hopes of our friends everywhere throughout Europe. Those who have been most earnestly with us heretofore seemed to be on the point of losing their faith in our success, through delays which they have not been able to understand. The journals most friendly to our cause began to give signs of exhausted patience at the unexpected prolongation of the struggle; but I have reason to believe, now that the effect of the reverses we experienced has been, to a great extent, counteracted by the determined attitude of the government, and its readiness to use the most direct and effectual means of crushing the rebellion.

As Mr. Collins has not yet made his appearance, I have nothing further to report in relation to the proposed telegraphic enterprise.

I have the honor to be, with high respect, your obedient servant,

SIMON CAMERON.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Cameron to Mr. Seward.

No. 6.] LEGATION OF THE UNITED STATES,
St. Petersburg, August 7, 1862.

SIR: As every movement relating to an intervention on the part of European nations in the affairs of the United States has a special interest and importance at the present time, I send you the following translation of an article which appeared editorially in the "Journal de St. Petersbourg" of yesterday. The article derives weight from the fact that the paper is understood to be the organ of the foreign office, and that its utterances conform in all respects to the views of the minister, Prince Gortchacow:

"The *Independence Belge*, in its number of August 1, has an article on the attitude of the powers in regard to the American conflict which contains assertions too positive to be passed without notice. If they are to be believed, active negotiations will be inaugurated between France and Russia, who will unite in proposing to England that she shall recognize the southern States, and, by her interposition, put an end to hostilities.

"We do not know from what sources the *Independence* has drawn such unqualified views, nor are we called upon to decide as to their value. Nevertheless, we believe it to be our duty to state that the Belgian journal commits the policy of the Russian cabinet in a direction which is not conformable to the declarations it has made and published.

"The conclusions which may be clearly drawn from these declarations are: that Russia entertains for the United States of America a lively sympathy, founded on sentiments of mutual friendship and on common interests.

"She considers their prosperity necessary to the general equilibrium.

"She is convinced that the American nation can only find, in the preservation of the Union, the conditions of power and prosperity which she wishes to see it enjoy.

"She believes, finally, that the maintenance of the Union would not be obtained by a war of extermination which would exhaust both sides, and leave, whatever might be its issue, a profound feeling of resentment between them; but that the result should be pursued by ways of moderation and conciliation, evoking the recollection of that fraternity which founded, in past times, the power and grandeur of the American nation, and appealing to the evident interest which the two parties have in remaining strong and prosperous in their Union, instead of weakening each other by their discord.

"We are able to affirm that these amicable and conciliatory views of the imperial cabinet have not changed. The events which have already transpired—the sad experience of the war, of its calamities, of the burdens it imposes, and the fruits it will leave—have, on the contrary, only confirmed them.

"We believe, therefore, that the assertions of the *Independence* need only be interpreted in the sense of the kindly counsels and the amicable recommendations which the imperial cabinet has already given, and, on its part, will never hesitate to renew towards the federal government of America in the spirit and to the extent of the intimate relations existing between the two countries."

It is not necessary for me to add more than the record of my gratification that the sentiments which, I was convinced, the government of his Imperial Majesty entertained towards the United States have been thus expressed in a form which is at once explicit and authoritative.

The imperial family, who have been absent for the past two weeks on a tour through the Baltic provinces, have not yet returned to St. Petersburg.

The members of the diplomatic corps, with one exception, are also absent from the capital.

I have the honor to be, with high respect, your obedient servant,

SIMON CAMERON.

Hon. William H. Seward,
Secretary of State.

Mr. Seward to Mr Cameron.

No. 8.]

Department of State,
Washington, August 13, 1862.

Sir: Your despatch of July 23 (No. 4) has been received. The favorable sentiments expressed by Prince Gortchacoff concerning the proposed construction of the Russian telegraph with our own is especially gratifying to the President, and he has also received with sincere pleasure the account you have given us of the very distinguished hospitalities which were extended to yourself and other members of the legation in your late visit at Peterhoff.

The information you have given us concerning the antagonism to our cause and our institutions which you have discerned in Europe is confirmed by despatches and reports from nearly all our representatives abroad. We therefore accept it as a fact belonging to our case. But I trust that you, as well as all our representatives abroad, are fully prepared, without special instructions, to meet and oppose it as circumstances require. So far as the hostility you have described results from a dislike of our republican institutions, I need only say that those institutions have been adopted by our choice for ourselves, not for any other nation or people. They are forced or thrust on no other people. If they are not perfectly adapted to the condition of society which exists here, they will perish without foreign intervention; if they are so adapted, they will not fall before any combination that may array itself against them. So far as that hostility grows out of commercial and maritime losses which European nations suffer in consequence of the war, I trust that you find no difficulty in showing them, first, that the civil war has resulted from no act, choice, or policy of the government, but from an unnecessary, unprincipled, and wanton rebellion; that to resist and suppress that insurrection is a necessity for the government, while that resistance becomes a duty in the interest of government everywhere, and even in the interest of society itself. If the causes of the war, or the probable results of it, are debated, I am sure that you will have no difficulty in defending the rights of man against the aggravation and perpetuation of human slavery. To all complaints against this as a protracted war, you can answer, first, that it is those European nations which make the complaint which have protracted the war by conceding belligerent rights to the insurgents, and by exhibitions of sympathy with them, encouraging them to expect recognition, aid, or sympathy; and, secondly, that Europe can have the war end just so soon as the ruling classes on that continent shall be content to endure the existence of the United States hereafter, as heretofore, one united, sovereign, inoffensive, people.

We certainly have all the desire to avoid controversies or contests with foreign powers which a constitutional predisposition towards peace, and a generous spirit of beneficent enterprise, inspire, to say nothing of the anxiety which, in view of our disturbed condition, alarms of foreign intervention must necessarily awaken. Under the influence of these and other motives, with which you are so well acquainted that I need not specially refer to them, we are doing all that lies in our power to prosecute the war with the vigor you so sagaciously recommend, and to win the victories you justly deem so important for foreign effect. I trust that under the energetic administration of our new commanding general these results will be attained. But after all I cannot forget, in a crisis like this, that there is a power higher than any human government that regulates the course of affairs as well in war as in peace, and that gives and withholds victories at his pleasure, while he tries the virtue of nations. I should not despair, therefore, if our present expectations, which seem to me so reliable, should be disappointed. If, in consequence of that disappointment, we are destined, as you seem to imagine, to a contest with foreign powers, I trust that even in that extreme case we shall be found not altogether unprepared for the issue. When that issue comes to trial the mere politicians will sink in Europe, and the people will arise. Politicians see only interests and ambition in the conduct of human affairs. On the contrary, every people always seek to know and to do just what is right. There is, as it seems to us, nothing new in the antagonism of European sentiment which you describe. The world sees the same feeling reveal itself anew whenever a nation or people blessed above other nations divides and delivers itself over to civil strife. Probably it is a divine and therefore a wise appointment. But foreign nations may be reminded that there seldom is a national division which foreign interventien fails to heal, and a nation once healed by that severe remedy is stronger than ever before. Moreover, it is not every national impulse or any mere national prejudice, however strong, that wise governments will accept as a sufficient justification for war. I cannot believe that any European state will cross the ocean to make war with us without examining the grounds of offence, calculating the results, and counting the cost. Whenever any government does this, it will find powerful impulses affecting it in favor of peace and friendship with the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Simon Cameron, Esq., &c., &c., &c.

Mr. Cameron to Mr. Seward.

No. 8.]

Legation of the United States of America,
St. Petersburg, August 19, 1862.

Sir: Your despatch (No. 6) of July 23, in answer to my communication of June 26, has been received. I regret that you do not feel at liberty to grant the application therein contained, since other and more pressing reasons, in addition to those already given, oblige me to repeat it. The climate of St. Petersburg has proved so unfavorable to the health of my wife that her condition causes me serious anxiety, and the season is every day becoming more harsh and inclement. My own health suffers also from the same cause, though I should not urge this reason were there any immediate necessity for my presence at this court. Thus, while my motives for desiring leave of absence have somewhat changed since I first applied to you, the necessity for my return has become still more imperative. I shall remain here as long as possible, hoping that a favorable answer may reach me before the approach of winter obliges me, for the sake of my family, to leave. I feel assured that the President will not refuse my application when he understands its urgency, and if his answer should be delayed I believe I should only be anticipating it by my return. In such case I should leave the affairs of the legation in charge of the secretary, who is familiar with my views, ready to act according to their spirit, and fully qualified by his acquaintance with the business and interests of the legation to conduct them in a manner entirely satisfactory to the government.

Even were this climate as favorable to the health of my family as it is the reverse, I should feel wanting in my duty towards my country to be willingly absent at this most critical period. Although at the time I left home I was determined to demand a vindication of my acts from that branch of the government which aspersed them, I feel now that I can safely leave such vindication to time. The generous action of the President in my behalf, with the course of events since then, has already so far justified me that I am not now called upon to let even the care of my personal reputation interfere with the graver duties of Congress. With no desire to fill any public station, I am yet anxious to support the Union in this hour of trial with all the means given to me by the experiences of my life.

In compliance with the request contained in your despatches Nos. 5 and 6, I called to-day upon Prince Gortchacow to communicate to him the gratification of the President with the friendly expressions which attended my presentation and the farewell of my predecessor. I took occasion, at the same time, to express my confidence in the steadfast attitude which Russia has assumed in regard to our internal struggle. The prince emphatically confirmed me in this confidence. He stated that the article in the *Journal de St. Petersburg* (a translation of which is contained in my despatch No. 6) was prepared in the foreign office by his direction, as an authoritative declaration of the sentiments of Russia. The United States need have no fear, he assured me, that these sentiments would change. He furthermore stated that the report of a meeting of sovereigns at Berlin next month was premature, no intimation of such a meeting having yet come to the notice of the Emperor. "If it should take place," said he, "the United States can have no objection to Russia being represented, since they will then be certain of having a friend in the council." He frankly expressed his regret, however, that the expectations raised when our vast army of volunteers took the field have not been realized—that the recent reverses have shaken the confidence of our friends in our ability to suppress the rebellion. The tone of his remarks indicated an unfavorable opinion as to the military conduct of the war.

The rumor to which you allude of a combination of the powers for intervention in the affairs of the United States is, therefore, unfounded, so far as Russia is concerned. The danger of such intervention by other powers seems to be suspended for the present, but is far from being removed. On the contrary, unless the war is so conducted during the coming four months that the end of the rebellion can be foreseen by enemies as well as friends, the outcry for mediation will be renewed with irresistible force—and mediation then may mean active, armed intervention. Everything I have hitherto said on this point I am obliged to reaffirm more emphatically than before. The patience of our friends and the impatience of our enemies will alike give way if the strain be much longer continued. The necessity of an immediate assumption of the most vigorous measures which the government can devise is most imminent.

Looking from this distance it is painfully evident that there is not loyalty enough in any of the rebellious States to stay the swiftness or temper the severity of their punishment; that the equivocal attitude of the border

States, by delaying a sterner policy, has embarrassed the government and weakened its legitimate power; and that unless speedily overthrown by more successful military operations, that institution which is both the cause and the strength of the rebellion must be made a weapon to destroy it forever. I have thus stated not simply my personal conviction, but—so far as I can ascertain it—the average judgment of intelligent Europeans. As you have directed my attention to this subject, I have felt myself bound to give you the frankest and most explicit expression of what I believe to be the truth. There has been no period, since the commencement of our troubles, when our citizens abroad have felt such painful suspense as at present.

I have the honor to be, with sentiments of the highest respect, your obedient servant,

SIMON CAMERON.

Hon. William H. Seward,
Secretary of State.

Mr. Seward to Mr. Cameron.

No. 11.]

Department of State,
Washington, September 6, 1862.

Sir: Your despatch of August 7 (No. 6) has been received, and has been submitted to the President. The distinct, though only semi-official explanation of the sentiments of the Emperor concerning our internal affairs which it presents has been received with the most unmingled satisfaction by the government and the people of the United States, and it would afford them a new incentive, if one was necessary, to put forth all their energies to the rescue of the Union from the perils by which it is menaced.

You can judge better than I whether the occasion is one which will warrant you in expressing the sentiments I have set forth to Prince Gortchacoff, and in assuring him of the respect and good will heretofore so cordially entertained by this government and people towards Russia is daily becoming deeper and more enduring.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Simon Cameron, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Cameron.

[Extract.]

No. 10.]

Department of State,
Washington, September 6, 1862.

Sir: Your despatch of the 5th of August (No. 5) has been received. While it is entirely satisfactory, its contents are such as seem to call for no especial comment.

You will learn by the public journals that our two armies in Virginia, which were so long and so unfortunately separated, have been brought together at last in front of this capital, but not without a loss of some six thousand or eight thousand men, and, for the moment, the gathering of the insurrectionary forces on the Virginia side of the Potomac, seeming to threaten

Maryland and even Pennsylvania. The insurgents have adopted equally bold and aggressive means in the west, and they give out that it is their purpose, although the Union forces are behind them, to subject Kentucky to their control, and they are even menacing Cincinnati. I refrain from giving a more detailed account of the military situation of the country, because it is certain that it must change before this despatch can reach you. I refrain also from explaining the causes of our recent disappointments and reverses, because, even if I should be able to make them satisfactorily known to yourself, they would, nevertheless, not be proper for communication to foreign powers, and they would, therefore, be unprofitable. In such an emergency as this the government feels that it is necessary to act for the future, and not to waste its time in reflecting upon what is past, and, therefore, irremediable. I must be content, therefore, with informing our representatives abroad that the exact condition of the country is fully understood by the government; that the armies of the United States are being rapidly reorganized and largely re-enforced; and that, while the military counsels of the President are, for the moment, not allowed to transpire, measures are being taken which, as it is believed, will be effectual in restoring the prestige of the national arms and prosecuting the war to a successful conclusion by the restoration of the federal authority throughout the Union.

It is to be expected that insurgent emissaries, encouraged by recent events, will be busy in attempting to instigate European governments to interference in some sort in our affairs. It is not apprehended that their treasonable efforts will be successful. Nevertheless, our representatives abroad will find it an important duty to be vigilant and to study the public mind of Europe, as far as possible, during the period of our preparations for a renewal of the auspicious fortunes of the country. None of them, it is believed, will find this task easier of performance than our representative at St. Petersburg, because the government of the Emperor is accustomed to see political events in their proper sequence, and is not at all liable to form inconsiderate judgments upon the result of a single and isolated battle or campaign. * * * * * * * *

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I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Simon Cameron, Esq., &c., &c., &c.

Mr. Cameron to Mr. Seward.

No. 9]

Legation of the United States,
St. Petersburg, September 9, 1862.

Sir: Your despatch of August 13 (No. 8) has been received. In reply thereto, it gives me great pleasure to state that the indications are now more auspicious than at any time since I entered upon my duties at this post. The danger which I saw advancing has been averted, certainly for a time; and I most fervently hope that the course of coming events may entirely prevent its return. This change is owing, in the first place, to the promptness with which the administration summoned the people to fresh exertions, itself setting them the example of unshaken faith, courage, and determination; in the second place, to the unparalleled patriotism and devotion with which the people have responded to the call; and lastly, to the inaction of the rebels themselves, during a period when their condition might have been materially improved, if they had been able to follow up their temporary advantage.

Our friends have not only been cheered by this new aspect of our affairs, but our enemies have become more moderate and cautious in their utterances. Simply in showing the colossal power which our nation is able to put forth, the raising of the new levies will have subserved a most important purpose. Now, at least, the justness of your declaration is evident, that no foreign nation will cross the Atlantic to attack us, "without examining the grounds of offence, calculating the risk, and counting the cost."

At this court, fortunately, I am spared the necessity of advocating our cause. My duty is confined to explanations of movements which are not thoroughly understood, or of those features of the policy of the administration, the intention of which is not immediately comprehended by foreign statesmen. I find a constant desire to interpret everything to our advantage. Soon after the interview with Prince Gortchacow, referred to in my despatch No. 8, the Journal de St. Petersburg published, undoubtedly by his direction, a translation of your despatch of May 28, to Mr. Adams, with an editorial article calling attention to its statements. The letter from Washington to the Opinione Nationale, of Paris, has also been copied in the same journal.

I lately received a communication from the Rev. Samuel A. Rhea, one of the American missionaries at Oroomiah, Persia, begging me to solicit the protection of Russia for the Nestorian Christians, who are treated with brutal tyranny by the Persian officials. The oppressed Christians of Asia look to Russia as their natural protector, and I therefore felt justified in at once bringing Mr. Rhea's appeal to the notice of the government. The statements contained in his letter were communicated to Prince Gortchacow, who assured me on the following day, when I had the honor of dining with him, that the idea of protecting and assisting these unfortunate Christians would be seriously considered. He further expressed his gratification that their appeal had been made through the medium of the American legation.

General de Sonnaz, the minister of the King of Italy, arrived here two or three weeks ago, and was received with much distinction by the Emperor. As the United States was the first power to recognize, officially, the new kingdom of Italy, I thought it proper on this occasion to waive the usual diplomatic etiquette, and make the first call on General de Sonnaz. I was glad to find, on meeting him afterwards, that he understood this compliment as it was intended, and accepted it as a token of the cordial relations existing between Italy and the United States.

Mr. P. D. Collins reached here a few days ago. As soon as he has seen M. Chefkin, minister of the ways of communication, he will present a definite plan for the construction of the proposed telegraph line. From what I have learned of his scheme, I judge that there will be little difficulty in procuring from the Russian government the privileges necessary to establish it on a practical footing.

I have the honor to be, with the highest respect, your obedient servant,

SIMON CAMERON.

Hon. William H. Seward,
Secretary of State.

Mr. Seward to Mr. Cameron.

No. 13.]

Department of State,
Washington, September 16, 1862.

Sir: Your despatch of August 19 (No. 8) has been received. It relates chiefly to your application for temporary leave of absence. That leave was granted in my despatch, No. 10, of the 6th instant.

At the time when your application was received here the efficiency of our armies had been impaired in a vigorous though eminently successful campaign. It soon became probable, and more lately it unhappily was proved, that we must fail in the pending movement upon Richmond. Such a disappointment was not unlikely to be followed by positive disasters, the extent of which could not be foreseen. That failure was sure to encourage the emissaries of insurrection in Europe, and the public mind too readily yielded to apprehensions of intervention in some form which must increase the national embarrassment. Under these circumstances, popular remedies were suggested and urged upon the President. Chief among them was some form of Executive manifesto or declaration of a determination to make the war more energetic, severe, sanguinary, and destructive in the insurgent States. At the same moment a change long clamored for in the insurgent councils was adopted there, namely, that of withdrawing their armies from their own region, and rapidly throwing them forward upon not this capital alone, but the loyal States of Maryland, Ohio, and Pennsylvania. For the moment the war on our part, which had until now been an aggressive one, was to be one of defence, attended with all the alarms and apparent if not real dangers of invasion.

The President, in this emergency, decided to bring together the armies of the Potomac and Virginia, and consolidate them on some line in that State between this capital and Richmond; to re-enforce and augment not only that consolidated army but also all the other forces at his command with six hundred thousand men, to be raised as volunteers, with a draft, if necessary, and be thus prepared to meet and, with promptness and without display of words, to roll back the tide of invasion and complete the war by a vigorous campaign on the coasts, on the Mississippi, and through the mountain passes of eastern Tennessee.

The disasters which were threatened in Virginia actually occurred. The insurgents drove the army of Virginia back upon the line of fortifications and the capital, but not without losses probably equal to our own. They then advanced from Manassas to the fordable passes of the Potomac, crossed that river and entered Frederick, and invited Maryland to rise up and join the treasonable confederacy. There they threatened equally Washington, Baltimore, and Pennsylvania. In like manner they gathered forces in Kentucky, in the rear of the army of General Buell, who was investing Chattanooga, and advanced towards the Ohio river, thus threatening the loyal States of Ohio and Indiana, which lie on the north bank of that river. The insurrectionary congress recently assembled approved these aggressive movements, and solemnly proclaimed a purpose to carry the war into the loyal States and inflict upon them, with increased severity, all the rigors of desolating warfare.

Under such changed circumstances, which could not have been foreseen when you applied for leave of absence, the President thought the national interests required the watchful care of all our trusted representatives in Europe, and he thought it might be especially unfortunate if the mission at St. Petersburg were left without the presence of a minister of the highest grade and authority known in the diplomatic service. Hence his reluctance to accede to your wishes. It is now hoped that your absence will not be productive of injury to the public service.

Having thus related the military events culminating in the invasion of the loyal States, it is only just that I should bring the narration down to this point. The volunteers are coming in as freely as was expected. More than seventy thousand have reached this city; ten thousand or more are in Baltimore and its vicinity. Sixty thousand have joined the army of the west, and the whole proposed augmentation will be rapidly effected. The insurgents have receded and are retiring from their late advance towards the Ohio. General McClellan has just met the invaders of Maryland and driven them back towards the Potomac. The loyalty of Maryland has not been disturbed, and Pennsylvania is freed from the apprehensions of danger. With steadiness of purpose, prudence in council, and activity and energy of execution on the part of our commanders, great advantages may be derived from recent misfortunes, and the recklessness of the insurgents may result in the speedy ruin of their always desperate cause.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Simon Cameron, Esq., &c., &c., &c.

Mr. Taylor to Mr. Seward.

No. 15.] Legation of the United States,
St. Petersburg, October 25, 1862.

Sir: I have the honor to report to you the promulgation of a decree of his Imperial Majesty which is universally pronounced to be second in importance in its effect upon the future of Russia only to that of the emancipation of the serfs. It is no less than a plan or basis for the thorough reorganization of the administration of justice throughout the empire, whereby the innumerable abuses, possible under the prevailing system, are prevented, and the great body of the people receive, in addition to personal liberty, an equal protection in the enjoyment of their individual rights.

The decree was sanctioned by the Emperor on the 11th instant, (Sept. 29, O. S.,) and communicated to the directing senate. The fundamental rules of the projected reform were then ordered to be published, accompanied by the declaration that they are intended to serve as a general basis for the elaboration of the necessary codes and regulations, the latter to be completed, sanctioned, and promulgated in the proper legislative order. The publication was made through the newspapers on the 15th, 16th, and 17th instant, and I have allowed the delay of eight days since then in order to inform myself correctly of the most important features of the reform, and of the character of its reception by the Russian press and people.

The basis of the new code, simple as it may seem, nevertheless completely overthrows the system hitherto in force.

The police ceases to be a judicial power, and takes its proper position, as in other countries, as the executive servant of the law. The secret tribunals, the endless delays, the numerous processes of appeal and reference, and the enormous abuses which are their natural result, and which have almost come to be the normal practice of the Russian officials, are swept away at a blow. In their stead is substituted a system of justice, regular, expeditious, armed with the safeguard of publicity, and equal in its application to all classes of the population; private interests are for the first time allowed; a participation in the management of local affairs; the civil magistrates are elected by the people; trial by jury in open court is established; the processes of law are so simplified that but one appeal can be made, and the second decision is final; the rights of the accused are carefully guarded; the judgments of the senate, which is made a court of appeal, are to be published. In short, law, instead of being a secret, semi-responsible agency, so liable to distortion that its operation has been generally feared quite as much by the innocent as by the guilty, becomes a beneficent protecting power, exercising its functions in the eyes of the world, and challenging scrutiny, because it promises reparation in advance for its own mistakes.

The following is an outline of the decree, embracing the most important features of the reform:

The judicial power is separated from the executive, administrative, and legislative powers, and specially confided to civil magistrates, their courts district tribunals, and the directing senate as supreme court of appeal. The jurisdiction of the latter extends over the whole empire.

Civil magistrates *(juges de paix)* are established in the towns and rural districts to decide on civil and criminal affairs of minor importance. They are elected every three years, by the united vote of all classes of the population. Their eligibility is determined by considerations of age, property, character, &c., to be hereafter fixed. They have jurisdiction in all criminal cases where the law reprimands or threatens, where fines are imposed not exceeding three hundred roubles, where imprisonment to the term of three months may be inflicted, and in all minor forms of theft, trespass, or personal assault. They also judge civil cases, where the sum in dispute is less than five hundred roubles, and where it is less than thirty roubles their decision is final.

The district tribunals are composed of a president and members appointed by the Emperor, according to representations made by the minister of justice.

Three members, at least, must be present at its sessions, which may be held, not only in the chief town of the district, but also in other towns within its limits. The sessions are of two kinds: first, *executive*, which are held with closed doors, and devoted to the preparation of instructions, examination of reports, and other deliberations; and 2d, *judicial*, which are held in public for the trial by jury of all civil and criminal cases. All judicial decisions may be published, either by order of the court, or by the act of private individuals who are interested therein. The structure of these tribunals is almost identical with that of county courts in England and America. The state is represented by a prosecuting attorney; both plaintiff and defendant may employ advocates, and the president delivers his charge to the jury after the evidence on both sides has been taken.

The jurors are taken from all classes of the population. Their eligibility (to be determined hereafter) will depend on age, residence, property, and general intelligence and morality.

Hereditary nobles, the *bourgaisie*, merchants, mechanics, and even peasants, after having filled certain local offices, are to be included in the list. No juror is obliged to serve more than once a year. The prosecuting attorney has the right to challenge one-fifth and the defendant two-fifths of the whole number of jurors. A simple majority of the latter decides the case. If there should be a tie, it is equivalent to a decision in favor of the defendant.

In case the judges unanimously consider a person innocent, whom the jury pronounces guilty, they have the right to refer the case to another jury, whose verdict shall be final. All verdicts must either fully convict or acquit.

No case can be tried in more than two instances. An appeal may be made from the decision of the district tribunal to the directing senate, which, if it finds sufficient reasons existing, may refer the case to a second tribunal of equal rank for a new trial, "conformable to the interpretation of the true spirit of the law." From this second decision there is no further appeal.

All legal distinctions, resulting from social conditions, are abolished.

All domiciliary visits, searches under warrant, and seizures, must be made in the presence of witnesses.

All persons arrested, upon whatever charge, must positively be examined within twenty-four hours.

Those exempted from personal detention are: infants, minors, men over seventy years of age, women during the last six months of pregnancy, and, in certain cases, persons intrusted with the care of young children.

Imprisonment for debt, for sums less than one hundred roubles, is abolished, and no debtor can be imprisoned for a longer period than five years, whatever the amount may be.

Crimes against the state, against religion, or committed by government officials in the exercise of their functions, are considered exceptions to the general criminal procedure, and special provisions are made for judging them in accordance with the spirit of the imperial government and the national church.

The mode of procedure in these cases is so arranged that it will not only relieve the Emperor from the personal examination of them, but will also obviate the necessity of a system of espionage. The promulgation of this important measure has been hailed with the most unbounded satisfaction. I have heard but one opinion expressed in regard to it—that it is, in fact, the regeneration of Russia. The general conviction that it has made revolution impossible has diffused through all classes a feeling of peace and security, especially grateful after the recent feverish agitation of the public mind. You will observe that the whole course of judicial procedure approximates much more to that of England and the United States than to that of any other continental nation.

The promptness with which the law will hereafter be administered is, perhaps, that feature of the reform which will be most welcome to the Russian people. Although to their oriental blood time is but of secondary importance, they fully appreciate the value of decision, and would prefer a short and somewhat arbitrary judgment to a prolonged investigation, even though the latter might insure more careful justice in the end.

I add a few paragraphs from the principal Russian journals, which will serve to show you how the reform is regarded :

"The ameliorations already realized, or in process of accomplishment during the present reign, have but a secondary significance beside these reforms, which open a new destiny to the nation."—*Parole Contemporaine.*

"All Russia, all civilized humanity, will recognize that the judicial reform, as well as the grand decree for the emancipation of the serfs, constitutes the most brilliant labor of government which has ever been accomplished in our country. The laborers have already been affranchised from obligatory toil. Now all Russians, without distinction, will be liberated from the darkness of a fatal arbitration, and from the burden of the actual administration of our judicial courts."—*Gazette de la Bourse.*

"When these measures shall have been put in force, five years will suffice to change Russia to such a degree that she can no longer be recognized."—*Northern Bee.*

"The reform by which serfdom was suppressed has given the right of personal liberty to a Russian population of more than twenty millions of souls, and the judicial reform gives to the entire nation, as to each of the individuals of which it is composed, the means of legally defending the rights which belong to the universality of citizens. Each of the reforms invokes the other, and is its mutual complement."—*Moscow Gazette.*

Some errors having occurred in printing, a corrected edition of the project is promised. I will forward a copy to the department as soon as it appears. Trusting that the interest and importance of the subject will justify the length of this despatch,

I have the honor to be, with the highest respect, your obedient servant,

BAYARD TAYLOR,
Chargé d'Affaires.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Taylor to Mr. Seward.

[Extract]

No. 16.] LEGATION OF THE UNITED STATES,
St. Petersburg, October 29, 1862.

SIR: I have the honor to report to you that immediately after the receipt of your despatch (No. 14) of September 26 I applied for an interview with Prince Gortchacow, for the purpose of delivering into his hands the letter of his excellency the President to his Imperial Majesty Alexander II. My request was at once granted, and an early hour the next day was appointed, but the prince having in the meantime been summoned to the town of Gatschinee, some thirty miles from here, to confer with the Emperor, the interview was postponed until to-day.

After having received the President's letter, which he promised to present to his Imperial Majesty without delay, the prince entered upon a conversation concerning American affairs, which I deem so important that I hasten to report it while his expressions are yet fresh in my mind, and can be communicated to you with the greatest possible exactness.

He commenced by stating in the strongest terms his concern at the course which events are taking in the United States.

"Your situation," said he, "is getting worse and worse. The chances of preserving the Union are growing more and more desperate. Can nothing be done to stop this dreadful war? Can you find no basis of arrangement before your strength is so exhausted that you must lose for many years to come your position in the world?"

I answered that the critical period in the fortunes of the war seemed now to be passed. Our arms were again victorious, and could the military strength of the rebellion be once fairly broken, it would be almost impossible for it to maintain itself longer.

"It is not that alone," said he, "but the fury which seems to possess both sides—the growth of enmities which are making the gulf continually wider between the two sections. The hope of their reunion is growing less and less, and I wish you to impress on your government that the separation which I fear must come, will be considered by Russia as one of the greatest possible misfortunes."

"To loyal Americans," I answered, "separation seems nothing less than national ruin, and precisely for this reason there can be no negotiations at present with the rebel authorities. They would listen to no terms which did not include separation, and hence the war is still a terrible necessity. I have hopes, however, that a change may occur before the term of grace allowed by the President's proclamation expires. Have you noticed that the State of North Carolina is already taking some action on the subject?" * * * *

"Russia alone," said he "has stood by you from the first, and will continue to stand by you. We are very, *very* anxious that some means should be adopted; that *any* course should be pursued which will prevent the division that now seems inevitable. One separation will be followed by another; you will break into fragments."

"We feel this," I replied. "The northern and southern States cannot peacefully exist, side by side, as separate republics. There is nothing the American people desire so much as peace. But peace on the basis of separation is equivalent to continual war. We have only just called the whole strength of the nation into action. We believe the struggle now commencing will be final, and we cannot, without disgrace and ruin, accept the only terms upon which the rebels would treat, until our strength has been tried and has failed."

"You know the sentiments of Russia!" the prince exclaimed with great earnestness. "We desire, above all things, the maintenance of the American Union as one indivisible nation. We cannot take any part more than we have done. We have no hostility to the southern people. Russia has declared her position, and will maintain it. There will be proposals for intervention. We believe that intervention could do no good at present. *Proposals will be made to Russia to join in some plan of interference. She will refuse any invitation of the kind.* Russia will occupy the same ground as at the beginning of the struggle. *You may rely upon it, she will not change.* But we entreat you to settle the difficulty. I cannot express to you how profound an anxiety we feel—how serious are our fears."

We were standing face to face during the conversation, and the earnest, impassioned manner of the prince impressed me with the fact that he was speaking from his heart. At the close of the interview he seized my hand, gave it a strong pressure, and exclaimed "God bless you!" I felt that any further declaration of the grounds for encouragement which I see in the course of events at home, would be useless. His excellency had evidently been disappointed in his hopes, from the representations heretofore made to him. I thanked him for his frankness and for the renewed declaration of the attitude of Russia. I had purposely abstained in former interviews from referring to current rumors of intervention, in which Russia was to be invited to take part, because any such reference might have implied a doubt in the permanence of her friendship. The spontaneous expression of Prince Gortchacow in regard to the subject is thus all the more satisfactory.

I fixed in my memory at the time, and have reproduced, almost word for word, the conversation which occurred between us. I judged it prudent to enter into no discussion concerning the impressions which the prince has derived from recent events. His manner convinced me he desired his words to be reported, and I was therefore anxious that he should express himself as fully as possible with no more interruption on my part than was necessary in order to justify the government of the United States.

The proclamation of the President, which I forwarded to Prince Gortchacow as soon as it arrived, was translated and published the next day in the Journal de St. Petersbourg, together with your circular which accompanied it. Since then the same paper, which preserved a complete silence on American affairs during the period of our reverses, has contained several pungent paragraphs in the interest of the Union. The Journal of yesterday, for instance, has the following: "As to the *democratic* meeting which has been held in New York, for the purpose of condemning the emancipation proclamation of Mr. Lincoln, and declaring that the republicans violate the Constitution, it will suffice, to give a just measure of the value of this demonstration, to recall the fact that before the war commenced the friends of slavery in the United States were designated by the name of 'democrats,' while that of 'republicans' was given to the adversaries of the *peculiar institution*."

The proclamation has not excited much surprise at this court. So far as I have been able to ascertain the impression which it has produced among intelligent Europeans, it is considered a justifiable measure. Some doubts have been expressed in the diplomatic circle here whether it can be enforced without a military occupation, which would insure submission in any case; but the general feeling is favorable to the step. Among the Americans whom I have met, those who formerly belonged to the "Breckinridge" wing of the democratic party have been strongest in their expressions of satisfaction.

I shall do my best to promote the confidence of our friends—which term includes all Russians, and a large portion of the foreign residents here—although painfully conscious that arguments and representations, however just and telling, are beginning to lose much of their force. I am waiting in the most anxious expectation to be strengthened by *deeds*. The conversation recorded above is, in some respects, a type of much in which I must take a daily part. Speculations concerning the future are no longer received; apparent inaction is considered almost equivalent to defeat; and even that better knowledge of an American which supports his own hope and confidence is partly neutralized by the disappointments of this year. For my part, I can scarcely doubt the issue without doubting the justice of God; but I am forced to encounter a feeling in others which my own confidence cannot overcome.

I have also to announce a change in the ministry, which may have some bearing on the interests of American citizens in Russia. A letter of the Emperor was published on Sunday last, allowing General Chefkin to retire from his post as chief director of the ways of communication. He is succeeded by General Melnikoff, of the engineers, a man of distinguished talents and acquirements, who has travelled in the United States, and is said to be anxious to enlist American enterprise in the great system of railroad communication which the imperial government has planned. As Mr. Collins's project of telegraphic connexion has been referred to this department, I anticipate a much more speedy and favorable report upon it than could have been expected during the direction of General Chefkin. The change, which has been rumored for a month past, has, no doubt, delayed action upon the project, but I hope soon to be able to announce to you its acceptance by the imperial government.

I have the honor to be, with the highest respect, your obedient servant,

BAYARD TAYLOR,
Chargé d'Affaires.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Taylor.

No. 5.]

DEPARTMENT OF STATE,
Washington, November 22, 1862.

SIR: Your very interesting despatch of October 29 (No. 16) has been submitted to the President.

The explanations of the views of the Russian government made to you by Prince Gortchacow, and his assurances of its fidelity and constancy towards the United States, are deeply interesting and eminently gratifying.

Circumstances and positions affect our views of every transaction. The profound apprehension concerning the present safety and future stability of the Union expressed by the prince was, at the time of your conversation with him, a very natural preoccupation of his mind. If I can accurately recall events, the latest information from this country which had then reached Russia left here an insurgent army, which had been only checked in its invasion of Missouri; another similar invading army arrested, but not driven back from its march upon Cincinnati; still another hovering on the borders of Pennsylvania and Maryland; and yet another in front of Corinth, protecting Vicksburg and threatening Memphis. The same information untruly represented the government levies as coming slowly into camp, the public credit declining, and its resources as well nigh exhausted. This was the sensation of the hour here in the early part of the month of October. The daily press is a political daguerreotype. It seizes the existing profile of affairs, fixes it stiffly and darkly upon the plate, and, at the very instant, scatters its impressions broadcast throughout the world.

The same instrument is now giving a very different profile of American affairs to foreign countries. What is now seen is a picture of wasting rebellious armies retreating on every side, an empty treasury, a prostrate credit, sufferings indescribable, attended by alarms and fears of social revolution. General Burnside is on the advance to Richmond; an army and a fleet are descending the Mississippi; another army, with another fleet, is just moving * * * * * ; another army is advancing from Nashville towards East Tennessee, and an iron navy is nearly ready to reduce the last remaining insurrectionary ports into federal occupation. Of all the insurgent menaces which lowered upon us so thickly in September and October there is only one that now gives us anxiety, and that is the invasion by iron-clad vessels, which are being built for the insurgents by their sympathizers in England. In regard to that danger, we must believe that the preparations of this government, whose resources are as ample now as that of any nation, are at least equal to the emergency of defence at home against such steam naval forces as the insurrection can send across the Atlantic ocean.

Naturally the first thought which, in a time of apparent danger to our country, occurs to a foreign friend, is the desirableness of an adjustment or arrangement of the strife. This suggestion is enforced by a contemplation of the calamities and sufferings which are wrought upon the battle-field. The generous mind, glowing with friendly zeal, refuses to admit the fact, however obvious, that composition of such troubles is impossible. This has been the case especially with the excellent Russian minister plenipotentiary here. He has for some time pressed upon us the same sentiments which were expressed to you by Prince Gortchacow. Mr. Adams has informed us that Baron Brunow, at London, has equally urged them, though with great delicacy, upon him.

The Russian government need not doubt for a moment that the President will hail the first moment when any proposition of peace can be made which will arrest the strife without a sacrifice of the nation's constitution and life. That period cannot now be far off. Whatever the insurgent leaders may say of their determination, it is not possible for the masses they represent to persevere much longer without direct foreign aid. Much as we deprecate such aid, we have nevertheless had experience enough of war to know, what all the world sees, that to attack the United States, even in their present divided and distracted condition, is an attempt no one foreign nation is likely to undertake, while reason, nature, interest, and moral duty forbid an alliance for such a purpose. It is indeed a fearful drama which the almighty Ruler of nations has appointed us to enact. But it does not surpass the powers he has given us to sustain the performance. Not only friendly nations but human nature itself is interested in its success, and must not be disappointed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

BAYARD TAYLOR, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Taylor.

No. 6.]

DEPARTMENT OF STATE,
Washington, November 24, 1862.

SIR: Your despatch of October 25 (No. 15) has been submitted to the President.

Whether we regard the decree of the Emperor which establishes an independent and impartial judiciary either in the aspect of a political measure assuring the stability of the government, or in the character of a social reform bringing the people of Russia all at once up to the condition of freemen, it is calculated to command the approval of mankind. It seems to secure to Russia the benefits without the calamities of a revolution. You are authorized to congratulate Prince Gortchacow upon the auspicious event. Constitutional nations which have heretofore regarded the friendship which exists between Russia and the United States as wanting a foundation in common principles and sentiments, must hereafter admit that this relation is as natural in its character as it is auspicious to both countries in its results.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

BAYARD TAYLOR, Esq., *&c., &c., &c.*

SPAIN.

Mr. Seward to Mr. Perry.

No. 1.]

DEPARTMENT OF STATE,
Washington, January 14, 1862.

SIR: Your despatch of December 21 (No. 15) has been received. The President directs me to assure you that he reposes entire confidence in your loyalty, ability, and diligence in conducting the affairs of the mission at Madrid during the temporary absence of Mr. Schurz.

You will have learned already of the action of this government in the case of the Trent, and you will be able to calculate as wisely as we upon the signs of peace between us and Great Britain.

It hardly can be necessary to say that the counsels of prudence will be pursued here until the point of national safety and honor compel a change of disposition. The condition of affairs is, that the insurrection does not advance, while the cause of the Union steadily gains important advantages.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No. 3.]

DEPARTMENT OF STATE,
Washington, January 23, 1862.

SIR: Your despatch of December 28 (No. 17) has been received. The President appreciates highly the diligence and loyal spirit with which you have entered *ad interim* upon the duties of the legation at Madrid.

While we have good reasons for hoping that the war cloud which so suddenly and so strangely arose from the British islands, threatening an aggravation of the domestic evils of our country, will be happily dispersed, we have at the same time gratifying indications that the insurrection in the southern States has reached an interesting point, and may now be expected to be suppressed without unreasonable delay.

It finds itself hemmed in on all sides, and recent defeats sustained at Drainsville, in Virginia, at Port Royal, in South Carolina, and at Mill Creek, in Kentucky, cannot but abate the extravagant idea that they are invincible, which the insurgents have so carefully fostered.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No. 11.]

DEPARTMENT OF STATE,
Washington, February 22, 1862.

SIR: Your confidential despatch of January 19 (No. 25) was duly received.

A nation that suffers itself to be divided by factions arrayed against each other in civil war can expect only intrusive intermeddling at first, and sooner or later intervention and conquest by foreign powers. There is no friendship of one nation towards another that can survive the sacrifice of that nation's self-respect and self-sustaining power.

Let us be thankful that we have gained the time which was necessary to combine so large a people as ours, spread over so vast a continent, and bring them to the necessary conviction of the dangers from which the country is to be saved. Since your despatch was written a series of successes of the Union arms has been opened, which is regarded as auspicious of a speedy end of the insurrection. We have therefore dismissed, at least for the present, our apprehensions of foreign danger. Felicitating you upon this pleasing condition of affairs,

I remain, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No. 28.]

DEPARTMENT OF STATE,
Washington, April 22, 1862.

SIR: Your despatch of March 30 (No. 46) has been received. Your treatment of the subject of our present relations with Spain, as represented by you, is approved by the President, and he has received with very cordial satisfaction the friendly explanations which Mr. Calderon Collantes has authorized you to convey to this department.

I think that you may be able to satisfy that eminent minister that the largest term which can readily be claimed for the present civil war is a period of two years from its date. It ought to have been expected that not less than one year would be occupied with the most flagrant and effective demonstrations of the insurgents, and that a government heretofore exempt from practical acquaintance with treason, and of course destitute of any machinery for resisting or counteracting it, would require no period less than the whole of that year to organize the military and naval forces for its safety. A year might then be reasonably allowed for the unavoidable trial at arms.

The American people have feared that the reserve practiced in some quarters might be deemed indicative of a disposition, if not to aid the insurgents, at least to sympathize with and encourage them. The country has not been able to reconcile such tendencies with a generous and liberal spirit; Spain, however, has been eminently just and generous.

We have now entered upon that second year. It seems to the President that the conflict hurries on towards a conclusion in favor of the Union. He is desirous that Spain may be sufficiently informed of the condition of affairs to enable her to resolve upon an attitude favorable to future harmony and friendship between the two countries.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No. 31.]

Department of State,
Washington, May 29, 1862.

Sir: Your despatch of April 17 (No. 48) has been received.

It is very interesting as a considerate and guarded exposition of Mr. Calderon Collantes's views on the subject of Mexican affairs.

I find no occasion to add to the frank and full explanations of the views of this government on that subject I have already given. Matters have indeed assumed a new and unexpected complication. Before we can engage in discussing them under their new aspect, we need to have some more light concerning the probable course of events in Mexico. We the more readily defer the discussion because a hopeful state of affairs at home seems to call for our best exertions to bring our unhappy civil war to an early close. Nations no more than individuals can wisely divide their attention upon many subjects at one time.

On one point, however, you may express yourself as strongly as you think needful, namely: the disposition of the United States to cultivate at home and abroad respect for the sovereignty and the independence of nations as the most effectual security for peace and the progress of civilization.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Horatio J. Perry, Esq., *&c., &c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No. 33.]

Department of State,
Washington, June 23, 1862.

Sir: Your despatch of May 25 (No. 57) has been received.

It is very interesting, and the debate in the Cortes upon Mexican affairs which you have extracted for us is very instructive. Mr. Calderon Collantes appears very advantageously in that discussion. His speech is temperate and loyal, and no one can read it without being satisfied that the Spanish government has acted with eminent honor and good faith.

You may say this to Mr. Calderon Collantes, and may add that this government is very favorably impressed by the deportment of the Spanish government on this occasion.

It is not deemed necessary that beyond these assurances you should at present make or seek any further explanations at Madrid concerning the state of Mexican affairs. The President hopes that the course of events may be such as to relieve this government from further debate upon them, notwithstanding the present singular complication. Should this expectation be disappointed, we shall then have the advantage of a clear knowledge of the actual situation of that subject, which, at present, we could only anticipate, and might, by anticipating erroneously, increase, instead of preventing embarrassment.

Your assiduity and zeal in the matter are fully appreciated; Mr. Carl Schurz has resigned the mission to Spain, and entered the military service. Mr. Gustavus Koerner, of Illinois, has been appointed and has accepted the mission. I learn from him that he will not take his departure until the expiration of about six weeks.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Horatio J. Perry, Esq., *&c., &c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No. 34.]

Department of State,
Washington, June 24, 1862.

Sir: Your despatch of May 30 (No. 58) was duly received. It gives us a full and interesting account of your conversation with Mr. Calderon Collantes on the subject of the change of position of the late European allies in Mexico. I have, however, in a previous despatch communicated the views of the President on that subject so far as it is deemed wise to expose them at the present moment.

We are in a crisis in our own domestic affairs indicative of a close of the struggle. Events in Mexico are only at their beginning. We shall see more clearly and be able to determine more fully after a little time. Meantime it is proper that you should know that Mr. Corwin lately negotiated a treaty for a loan of eleven millions of dollars with Mexico; that this treaty was made in the absence of any instructions, and that it may perhaps be thought by the Senate to conflict with the policy that it has heretofore indicated. The treaty, however, has been submitted to the Senate for its information and consideration without an expression of opinion upon it by the President.

It is hardly necessary to repeat on this occasion the former expressions of satisfaction with the loyal and enlightened course of the Spanish government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Horatio J. Perry, Esq., *&c., &c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No 39.]

Department of State,
Washington, July 31, 1862.

Sir: Your despatch of July 8 (without a number) has been received.

Long before this reply shall reach its destination you will have learned that the treaty negotiated by Mr. Corwin with Mexico was submitted by the President to the Senate for its consideration without any expression of opinion on his part, and that the Senate decided that it would not act upon the subject.

This government takes no interest whatever in the changes of ministries which so frequently occur in states with which it maintains friendly relations. It regards such changes as being matters purely of domestic concern in the countries where they occur. It does not confess to a solicitude that bias in favor of the United States shall exist in any foreign cabinet. It concerns itself as little about debates which the European states may hold among each other in relation to our affairs. It practices upon the principle that each state is just, prudent, and friendly in its purposes towards us as we are towards them, and thinks it will be time enough to change its habits in regard to any state when that state shall unmistakably manifest a different spirit towards the United States.

While, however, this is the tone of our sentiments, it is not improper for me to say that the present ministry of Spain and the minister of that country now in the United States have, by a loyal, frank, and honorable conduct of the affairs in which we have been concerned, won the respect and esteem of this government, and secured not only for themselves, but for her Catholic

Majesty and the Spanish people, the most generous sentiments and best wishes on the part of the American people. If we might indulge ourselves in criticising domestic affairs of a foreign state at all, we should think it would be an unfortunate change which should deprive Spain of the services of so enlightened and honorable a cabinet.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No. 40.]

DEPARTMENT OF STATE,
Washington, August 2, 1862.

SIR: Your despatch of July 11 (No. 69) has been received. The African slave trade which has been so long clandestinely carried on from American ports was a mercenary traffic without even the poor pretext that it brought laborers into our country, or that other and worse pretext that it was necessary to the safety or prosperity of any State or section. It was carried on in defiance of our laws by corrupting the administration of justice. The treaty to which you refer contains no provisions that can embarrass an honest and lawful trade, and none that can inflict a wound upon the national pride. It was freely offered by this government to Great Britain, not bought or solicited by that government. It is in harmony with the sentiments of the American people. It was ratified by the Senate unanimously, and afterwards distinctly approved with not less unanimity by both houses of Congress. Not a voice has been raised against it in the country. I send you a copy of it for Mr. Calderon, as you have requested.

I am, sir, your obedient servant,

WILLIAM H. SEWARD

HORATIO J. PERRY, Esq., *&c., &c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No. 41.]

DEPARTMENT OF STATE,
Washington, August 5, 1862.

SIR: I have received and have read with much interest your despatch of the 7th of July, (No. 68,) giving a detailed account of a recent conversation between Mr. Calderon Collantes and yourself on the subject of the affairs of Mexico.

In view of what I have so lately written to you in relation to this subject, I do not deem it necessary or important at this time to do more than assure you of my approval of the part taken by you in the conversation referred to. You were quite right in assuming and in stating, as you did to Mr. Calderon Collantes, that this government has not the least purpose or desire to extend its jurisdiction. It needs no more territory, and it will scrupulously respect the rights of other nations, as it purposes to maintain its own.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., &c., Madrid.*

Mr. Seward to Mr. Koerner.

No. 2.]

DEPARTMENT OF STATE,
Washington, August 18, 1862.

SIR: Our relations with Spain at the present time are fortunately not of a character to render it necessary that I should give any detailed or specific instructions for your government on assuming charge of the mission at Madrid. Those that were given to your predecessor, and which will be found on the files of the legation, were sufficiently ample, and are not less applicable to present circumstances than they were to those which existed at the time they were written. The fierce civil strife which then convulsed our country still rages, and is carried on by those who provoke it with a recklessness characteristic of their desperate fortunes. Thus far the nations of Europe, resisting the insidious appeals of the insurgents through their emissaries abroad, have stood aloof from the contest, though in somewhat varying attitudes. That of Spain has given no cause of complaint, and has been consistently maintained. We have no apprehension that it will be changed. The government of her Catholic Majesty knows that, while insisting on our own rights, we scrupulously respect the rights of other nations; and the high sense of honor for which Spain has ever been distinguished forbids the belief that she would ever practice less justice than ourselves. Neither can we believe that her sympathies will ever be given to those who, without cause and without even a reasonable pretext, have sought to subvert a government founded on law and order, and with which the government of her Catholic Majesty has always maintained unbroken relations of amity and good will.

There are, as you are no doubt aware, questions between the two governments concerning claims, &c., which still remain unadjusted. It is deemed expedient that those should, for the present, be suffered to rest in abeyance.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GUSTAVUS KOERNER,, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Koerner.

No. 3.]

DEPARTMENT OF STATE,
Washington, August 25, 1862.

SIR: Mr. Perry's despatch of August 1 (No. 73) has been received. It brings information of the appointment of Don José de la Concha to be ambassador at Madrid, and Mr. Perry infers from that proceeding and other events a probable combination by the government of Spain with that of France in the war waged by the Emperor against Mexico.

That war, regarded in the light of the explanations of it which have been given to this government by that of the Emperor, is a foreign affair, and the new phase of Spanish policy in regard to it, for that reason, does not require any special notice on the part of the United States.

It is believed here that the maritime powers, if indeed they have heretofore entertained doubts, are now becoming satisfied that proceedings on their part, injurious or hostile to the United States, would be productive of no results advantageous to European interests. Certainly this government, when it considers the military and naval forces that it has at its control, the success that it has achieved already in the present unhappy civil war, and the favorable prospects of the campaign which it is now preparing, is not disposed to be disturbed by apprehensions of interference by foreign powers. Doing all that it ought and can to preserve peace with foreign nations, it will not suffer itself to be alarmed by fears of wrong on their part, whether victory continually attends our arms, or at times manifests its habitual caprice.

There are indications of growing uneasiness in Europe, which seems to us likely to engage the thoughtful consideration of the foreign powers with whom treasonable emissaries from this country have been seeking to bring the United States into collision. We have at least an important guarantee of peace, in the fact that traitors are always justly suspected by ingenuous parties whom they address.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GUSTAVUS KOERNER, Esq., *&c., &c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No. 47.]

DEPARTMENT OF STATE,
Washington, September 15, 1862.

SIR: Your despatches (Nos. 73 and 74) of the 16th and 17th ultimo have been received. The information communicated in the latter is particularly important and interesting.

I have transmitted to the Secretary of the Navy a copy of that part of your despatch which relates to the departure from Barcelona of the rebel brig Mary Scaife, and have again called the attention of the Secretary of War to the subject of your purchase of 340 rifled muskets.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., &c., Madrid.*

Mr. Seward to Mr. Koerner.

No. 6.]

DEPARTMENT OF STATE,
Washington, October 21, 1862.

SIR: Mr. Perry's interesting despatch of September 21 (No. 81) has been received. Manifestly it was written when the European political atmosphere was highly disturbed by the news of the insurgent successes which occurred in August last, and by the confident expectations which heralded there the secretly projected campaign of invasion of the loyal States, which was to culminate in the occupation of many of the chief marts of internal as well as those of foreign trade, and the capitulation of Washington. The campaign has already proved a failure, and it is now supposed here that the hopes of recognition which were built upon it have abated under the influence of so serious a disappointment.

It is observed that when this subject of recognition is discussed in foreign capitals, it is at least tacitly assumed that the United States would be passive upon the adoption of such a measure by friendly nations. There is no ground whatever for this assumption. However our military position may be regarded abroad, it is known and felt here that the national strength, wealth, and power were never before so great or so available for any struggle as they are now; and if anything were wanting to intensify the national loyalty and excite the national zeal, it would be furnished by any foreign invasion of the country or its sovereign rights.

You will already have learned that the President has impressed on the war the feature of a withdrawal of the national protection from slavery in the insurgent States, which Mr. Perry has so confidently and earnestly, and yet with entire propriety, recommended.

You will exercise your discretion as to bringing the views which I have thus furnished to the notice of Mr. Calderon Collantes. If you do so, you will, at the same time, assure him, in the most frank and confiding manner, that this government entertains not the least distrust of the fidelity of Spain to her treaty obligations, or of her abiding friendship towards the United States. Mr. Tassara, who is always respected by this government, called upon me yesterday, and in a very earnest and zealous manner represented to me that he had learned from the captain general of Cuba that a British vessel, the Blanche, had been driven by an American cruiser ashore on the Island of Cuba, and that the cruiser assumed and exercised force against the British vessel and her crew within the waters and even on the soil of Spain. But Mr. Tassara had not yet had time to prepare a formal representation upon the subject. Meantime this government has no other knowledge of the transaction except some very uncertain and highly-inflamed articles in relation to it extracted from the Havana press.

You are requested to lose no time in calling upon Mr. Collantes, and in assuring him that an investigation of the transaction has been already ordered by the President; and that, in just the extent that the case shall be found to justify Mr. Tassara's representations, the displeasure of this government will be visited upon agents who have abused equally its authority and its instructions, and the most ample redress will be promptly afforded.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GUSTAVUS KOERNER, Esq., *&c.*, *&c.*, *&c.*

Mr. Schurz to Mr. Seward.

No. 35.]

LEGATION OF THE UNITED STATES,
Madrid, October 26, 1861.

SIR: Your despatch No. 30, together with accompanying documents, has at last arrived. I had already instituted inquiries in every possible manner in order to ascertain where and by whom it might have been intercepted, for it was impossible for me to conjecture that an important despatch addressed to the American legation at Madrid could have been detained in the State Department until the 4th of October, after having been communicated to the Spanish legation at Washington on the 18th of September. I must therefore beg your pardon for the reflections offered in former despatches on the carrying service, although the latter is not quite incapable of improvement.

Immediately upon receipt of the despatch I called upon Mr. Calderon for the purpose of laying the information it contained before him, with most of which he was already familiar. I directed his attention to several points in General Serrano's order, which seemed to me objectionable. Mr. Calderon replied that he had received from Mr. Tassara a report of an official conversation that had occurred between yourself and that gentleman, and which enabled him to inform me that my government considered but one point objectionable, the apparent recognition of the confederate flag in the first paragraph of the order. As I had received no report of that conversation, I was obliged tacitly to acknowledge that Mr. Calderon was better informed of the views of my government than myself.

In order to render the third paragraph of General Serrano's order quite clear, Mr. Calderon observed that the placing of the merchant vessels of the so-called Confederate States upon the footing of the vessels of nations having no consuls at the ports of Spain and her dependencies was a mere form of expression, and that if such consuls were sent to Spanish ports by the Confederate States they would not be permitted to exercise any authority, for they would not receive the royal exequatur.

Mr. Calderon added that he had already written a despatch to Mr. Tassara, and one to the captain general of Cuba, which would be satisfactory to the government of the United States.

I am, sir, with great respect, your obedient servant,

C. SCHURZ.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Schurz to Mr. Seward.

[Extracts, with enclosures.]

No. 39.]
LEGATION OF THE UNITED STATES,
Madrid, November 9, 1861.

SIR: I have the honor to transmit a copy of the speech delivered by the Queen at the opening of the Cortes on the 8th instant.

You will notice in that speech no mention is made of the events in the United States, nor of the position assumed by Spain in relation thereto, nor of the protest entered by the United States against the annexation of Dominica. To-day I called upon Mr. Calderon Collantes and requested him to explain to me, and through me to my government, the meaning of that omission. Mr. Calderon replied that he was happy to have an opportunity to prevent all misinterpretation of the royal speech as far as the United States was concerned. The government of Spain had already, in a solemn manner, manifested its policy in relation to the internal difficulties in the United States by the royal decree of the 17th of June; this matter being thus definitely settled, the government had not deemed it necessary to refer to it again. He would, however, confidentially inform me that he had prepared a paragraph for the royal speech on this subject; but that the speech being already very long, this and other matters of similar importance had been dropped. This paragraph which he recited to me contained an expression of regret at the unfortunate occurrences in the United States, and of the firm determination of her Majesty's government faithfully to adhere to the policy indicated in the decree of June 17. He added that he would be happy to repeat this declaration in the Cortes if an interpellation should be addressed to him on the subject. As to our protest against the annexation of Dominica, he had not mentioned it in order to avoid if possible any discussion of that matter.

I may add that I believe this government to be sincere in their professions;

not as though they loved the United States particularly, but they do not mean to provoke a difficulty with us, and will, I think, honestly endeavor to avoid a conflict with us under all circumstances. If the government of the United States show a corresponding temper, Spain will not think of recognizing the independence of the southern confederacy. A few days ago I had a conversation with General O'Donnell, who expressed himself very strongly and straight-forwardly to that effect. * * * * * My personal relations with this government are of the most satisfactory character, and the American legation is on every occasion the object of marked attention and respect.

The Queen's speech is more liberal than was anticipated. The government has wisely concluded to concede without discussion several of the principal demands made by the opposition, and the consequence was, that in the test votes on parliamentary officers, the combined opposition did not show as much strength as had been calculated. The majority of the government in both branches of the legislature is very large, and the ministry, whose existence seemed to be very precarious but a short time ago, has apparently obtained a new lease of life. The opposition, however, although numerically weak, have nearly all the parliamentary talent of the Cortes on their side, and it would therefore be venturous to predict the result. The ministerial journals foreshadow the determination of the government to dissolve the Cortes in case an attempt be made by the opposition to impede the working of the governmental machinery by factious manœuvres.

I am, sir, with great respect, your obedient servant,

C. SCHURZ.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

[Translation.]

Discourse pronounced by the Queen on the formal opening of the Cortes of the kingdom, November 8, 1861.

SIRS, SENATORS, AND DEPUTIES: It has always been gratifying to me to see myself surrounded by the true representatives of the country, but never more than on this day, when my mother-heart, borne down with sorrow, needs the consolations which God only, and those connected with us by ties of attachment and affection, can impart to us in periods of great affliction.

No change has occurred in our friendly relations with the powers of Europe since the adjournment of the labors of the Cortes.

The holy father, ever the object of tender and profound veneration to all Catholics, excites my continual interest and my filial solicitude. I have induced the governments of the nations which are under his holy direction to unite in the investigation of measures to secure to him in his states the peace and security needful to him, that he may exercise with independence the august functions of his sacred office; my feelings will stimulate me to continue those efforts, thus meeting the wishes of my subjects in whose hearts the religious faith of our fathers burns ardently.

I have the pleasure to announce to you that the differences which had occurred with Venezuela have been satisfactorily arranged. In this, as you will perceive, the inviolable principles of the law of nations have been maintained, giving to my subjects reparation due for the injuries of which they have been objects, and settling guarantees necessary to avert their unfortunate recurrence.

Disorder and outrage has reached a climax with the ill-omened people of

Mexico. Treaties broken, rights trampled on, my subjects exposed to serious attempts and perpetual dangers, it was indispensable to set at this time an example of wholesome rigor and evidence of magnanimous generosity.

My government prepared all the elements for such results, when two great nations, whose tolerance towards that people can never be attributed to weakness, were the objects of fresh violence. The offence was common; the action should be collective. My government desired it Its endeavors to form the combination had previously been efficient and active, but the result did not correspond with our wishes. If now again the same should have occurred, the solution would have been energetic; its action immediate and decisive.

France, England, and Spain have agreed upon obtaining the reparation due for their grievances, and that necessary guarantees that the intolerable wrongs which have scandalized the world and given offence to humanity shall not be repeated in Mexico. By these means will be realized the idea to the carrying out of which my government had addressed its constant efforts. In due season it will give you an account of the convention which has been concluded for this purpose by the representatives of the three powers.

The presence of their naval and land forces at the most important points of the coasts of Mexico can do no less than call to reflection the parties who are destroying that unfortunate country. If peace should grow out of it, under the shelter of a strongly constituted government, we would congratulate ourselves upon having given to it at once the existence belonging to civilization, and also that of *order combined with independence and liberty. Spain will always desire that the people of the American continent may be assured of maintaining the enjoyment of such inappreciable blessings.*

The island of Hispaniola, the first discovery by which the great Columbus immortalized his name, has again become a part of the monarchy. The Dominican people, threatened by external enemies, exhausted by intestine disorders, in the midst of its conflicts invoked the august name of the nation to which it owed civilization and existence. To look upon its misfortunes unmoved; to turn a deaf ear to its wishes, inspired by lofty recollections and by a never-extinguished love for Spain, would have been unworthy of our noble nature. Convinced that they were unanimous, and acting of their free will, I have not hesitated to receive them, regarding the honor still more than the advantage of my people.

The Dominicans have seen their hopes realized. The elements of wealth shut up in their fertile soil begin to develop themselves in the bosom of a profound peace, and the zeal and justice of my government and of the authorities will sweep away the traces of past discord.

The army and squadron of Cuba, conveying to Santo Domingo the glorious standard of Castile, infused security to the inhabitants, their enemies with fear and respect. They were generous to the latter, because it has never been their mission to oppress the weak.

The execution of the stipulations of the treaty of Vad-Ras, which put an end to a glorious war, met with great difficulties. But to remove them the Sultan of Morocco sent to my court as ambassador his brother, the Prince Muley-el-abbes, and in a few days they were removed.

The convention which will be presented to you in no manner innovates on the treaty of peace. All the rights acquired thereby continue in their pristine vigor. In determining the mode of paying the indemnity of the war, I consulted the feelings of the Spanish nation, which is always generous after victory. She will ever accompany our flag if Divine Providence still reserves fresh combats for our army and navy. These, meantime, are models of discipline and fidelity.

My government devotes its best endeavors to perfect its organization by increasing the elements of strength and power which secure to nations the wonderful advances of the sciences and of civilization.

The navy, whose development has already received a considerable impulse, will again occupy the high place from which errors and misfortunes caused it to descend; errors and misfortunes which, far from causing faintheartedness, ought to serve as a powerful stimulus and a profitable teaching.

Grave events, by their alarming tendency to society, disturbed public order in some towns of the province of Andalusia. To re-establish that, and to punish those guilty of such criminal attempts, it was not necessary to recur to extraordinary remedies. My government left free the action of the tribunals which the laws establish for such cases.

The definitive organization of the public administration calls for the prompt examination and approval of the projects of laws presented by the former legislature. The towns and provinces will attain, through laws suited to their remarkable improvement, the full intervention which they require in the direction of their affairs and of care for their interests, without any diminution of the means which the authorities need for the preservation everywhere of that public order which is the first necessity of states.

My government desires that the liberty of the press may be guaranteed by a law which may leave a wide field to the expression of thought, and at the same time repress the outbreaks of passion. To give sure pledges to individual liberty by reconciling it with public order and with the tutelar principles of association, is the great problem which political rules must solve to avoid the provocation of absurd reactions or unhappy disturbances. The reform of the electoral law will also soon call for your most profound attention. The extension of the privilege of voting will cause all legitimate interests to be represented in the assembly. Measures recommended by experience will prevent fraud or coercion from invading the purity of the ballot-box. The law repressing force and fraud secures the free expression of public opinion.

The government, in order to transfer to the Cortes the exercise of an important prerogative and to affirm the principle of the abolition of mortmain, will propose to the Cortes, in due time, an amendment to the constitutional reform in the terms which it has already announced.

My government will presently lay before you the estimates for the state for the present year. The product of existing imposts will suffice to cover ordinary expenses, and being connected with the resources which you had previously provided to meet the necessary improvement of the public works, of the navy, and of materials of war, it will not be necessary to call for fresh sacrifices from the people.

The public instruction has had from my government the most constant solicitude, and will soon attain the perfection desired if the Cortes continues to lend its enlightened protection to this important branch, on whose good organization depends in great part the welfare and the glory of nations. My government will lay before you for this purpose suitable drafts of laws.

The impulse given to the public works has contributed efficiently to the increase of the fortune and prosperity of the country. My government will present to the Cortes drafts of suitable laws for promoting the construction of canals of irrigation, and for the use and improvement of waters, which will contribute to the progress of agriculture and industry. These interests claim the prompt discussion of the project presented to the former legislature upon banks of commerce and emission of notes by companies who are grantees of public works. Projects of important laws upon territorial credit, the organization of tribunals of commerce, and the reform of mercantile associations of shareholders, will complete the series of measures which my government considers necessary to the rapid increase of the public wealth.

The prosperity of the provinces beyond sea is a constant object of my maternal solicitude; their administrative organization improves constantly by institutions and reforms already tried in the peninsula, the establishment of which I have fostered, accommodating them to the special circumstances of those people. It is to be hoped that extraordinary accidents, which produced such great disturbance in the industrial and mercantile relations of the whole world, may affect only temporarily the progressive development of the great elements of wealth they contain.

Arduous, thorny, but still grand and magnificent, is the mission of legislators and of governments in this epoch of prodigious transformations; vain would be the effort to fill it without the aid of God, and without the exercise of the virtues which make a people worthy of the blessings of liberty. By practicing them with constancy, and united in one feeling—the common love of country—our efforts elevating it each day in the consideration of other nations, will conduct it free from sad revulsions, and under shelter of constitutional institutions, to the high destinies which Providence holds in reserve for it.

Mr. Perry to Mr. Seward.

No. 17.]

LEGATION OF THE UNITED STATES,
Madrid, December 28, 1861.

SIR: I have received your despatches Nos. 57, 58, and 59, addressed to Mr. Schurz.

The anxiety felt at this capital concerning the grave question pending between the United States and England, as the time draws near when the reply of our government to the demands of England may be expected, is quite evident. I do not hesitate to say that public opinion is decidedly against us in the question of right, and the proceeding of the commandant of the San Jacinto with the Trent is considered by Spanish jurisconsults as unsanctioned by the law of nations. It is considered, therefore, that the United States ought not to hesitate to make reparation for the fault committed by their officer. Whilst this is so, there is at the same time a good deal of satisfaction manifest that the act condemned should have been committed with an English ship, and not that of any other nation. The skirts of England are not clean, and Spanish statesmen willingly allow that she is the last of all the powers in her right to complain of such treatment. But though England may have been guilty in times past of acts in regard to neutral ships even more indefensible than that of which she now complains, this is not thought to justify the United States in the commission of like faults, and there is no hesitation here upon the point that the interests of all nations would be served by the United States yielding in this matter and allowing the question involved in the affair of the San Jacinto and Trent to be decided against them upon principle.

I give you thus a summary of the opinions of various personages with whom I have conversed freely, and which may be taken as those of the most enlightened and most competent of this country.

Yesterday I had an informal interview with the minister of state at his department, in which the conversation turned upon the declaration made to me in June last by Mr. Calderon, to the effect that he would not see nor receive any commissioners or other negotiators from the so-called Confederate States, as reported by me in despatch No. 4, of June 13, published in the London

Times of December 19. Mr. Calderon renewed to me yesterday the same declaration, saying that the policy of Spain in regard to our civil contest was fixed by the royal decree of June 17, which appeared a few days subsequent to the interview referred to, and that her Majesty's government had no intention to depart from its provisions in any respect. Mr. Calderon said himself, that to hold conferences with or to receive the agents of the so-called Confederate States in any official capacity would be tantamount to recognizing the separate existence of those States as a body politic, and this the government of Spain had no intention to do, but holds to the line of conduct and policy embodied in the royal decree of June 17.

As to the question between the United States and England growing out of the affairs of the San Jacinto, Mr. Calderon said, in substance, in reply to my observations, that we were wrong, and that England could not help making her energetic reclamation against that proceeding. That the subject of the attitude of Spain in the case of war between the two powers had not been treated in the council of ministers, as there had been no formal instance on my part in regard to the matter; but he quite agreed with me that the interests of Spain indicated a complete neutrality, and there was no motive why Spain should take any part in the contest on either side. His manner was frank and kind, and his language such as to completely reassure me in my conviction that this country has no idea of being itself drawn into the dispute in any event. I did not myself think proper to give to this rather informal conversation any more important character, nor attempt to press the minister to any distinct declaration of an official nature at the present moment. When we know the reply of the President to the pretensions of the English cabinet, I shall endeavor to shape my course here in accordance with what our interests may then seem to demand, hoping to receive your instructions as to any positive step which it may be proper to take. Meantime everything confirms the opinion expressed in my despatch No. 15, that a complete neutrality of Spain in any and all circumstances of the threatening conflict with England can be maintained.

I have the honor to be, with the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Perry to Mr. Seward.

No. 39.]

Legation of the United States,
Madrid, March 8, 1862.

Sir: Your despatch of February 4 was duly received, and I, the same day, read the original to the sub-secretary of state, Mr. Calderon not being at his department when I called.

Mr. Cowyn advised me to prepare a translation of this important paper, to be left with Mr. Calderon, if he should desire it. There was certainly no objection to that course, and I accordingly prepared the translation, a copy of which is enclosed, and having again waited upon Mr. Calderon, read the same to him and left a copy in his hands.

The document is exceedingly well calculated for a favorable effect upon this government, and though I have no practical result to announce to you to-day, there is no doubt the impression produced upon Mr. Calderon, at the time he heard it, was marked and strong.

His own observations opening the way for me, I traced rapidly for him the connexion of the principal actors in the present rebellion with former filibustering schemes against Cuba. Showed him the natural and necessary policy of our slave-owners towards all the foreign states on our southern border. Showed him how our people had rebuked this policy, and in other respects sustained and illustrated by the facts of history the chief positions taken in your despatch.

Mr. Calderon listened with great interest, and said he was glad of one thing: he was glad we at Wasington believed that Spain had entered upon a new career; and he would assure me that Spain was not bound to follow the action of France or England; that what she did she did spontaneously and freely, and was at entire liberty to do or undo what she had done in the matter of neutrality in our civil contest without consulting any other power.

He also assured me that no commissioner nor agent from the southern States had yet presented himself to any officer of her Majesty's government to his knowledge.

In fact, Mr. Rost, whose departure from Paris was communicated to me by Mr. Dayton some time since arrived in Madrid only to-day.

But the news of the victory at Fort Donelson had preceded him.

With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Perry to Mr. Seward.

[Extract, with enclosures.]

Legation of the United States,
Madrid, March 15, 1862.

Sir: The expedition against Mexico has excited and maintained more interest in Madrid than almost any other subject, ever since the fleet sailed from the Havana. But it has been principally to know and comment upon what was happening in America, and of which you must be better informed than we can be here.

Until latterly little of interest has occurred in Spain itself connected with this subject. The information and views conveyed to you in Mr. Schurz's despatch of November 17 (No. 41) was singularly correct and opportune according to my own knowledge, and I could add little to the import of that paper.

I informed you on the 26th of January (No. 26) that the action of the French Emperor in sending out a general with strong re-enforcements to his army in Mexico without previous consultation with this government, and with the supposed object of putting the French contingent upon a footing to act independently of the Spanish general-in-chief, had produced surprise and chagrin here. Spain had supposed that she was to take the direction of the land operations in Mexico, and General Prim left Madrid in that understanding.

The candidacy of the Archduke Maximilian of Austria for the projected throne in Mexico, put forward by France, was another blow upon Spanish hopes. For a considerable time it seemed doubtful whether this arrangement would be accepted by Spain in any event; but this candidacy is now recognized by the Queen's government, though at the expense of much of the enthusiasm with which they at first went into this business, and perhaps with the scarcely avowed hope that the course of events in Mexico will itself defeat the plan.

It is also evident that, for some time past, the tendency here has been to draw closer to England in the Mexican affair, so as the better to make head against the vigorous initiation of the French Emperor.

Your attention will not fail to be drawn to the visit of the Duke of Brabant, heir of King Leopold, of Belgium, to Seville. The duke has just arrived at Valencia, and will proceed immediately to Seville, where the Duke and Duchess of Montpensier (sister to Queen Isabel) reside.

We have heard the name of the Count of Flanders (younger brother of Brabant) mentioned frequently of late in connexion with the projected throne in Mexico, and you will remember the significant declaration of a Madrid ministerial journal, as early as December last, to the effect that if the throne of Mexico were not to be occupied by a Spanish prince, it would, at least, be pressed by a Spanish princess.

The journey of the Duke of Brabant is publicly stated to be merely a family visit to his cousins, and the delicate health of the duke is given as his reason for seeking the climate of the south of Spain at this time; but there is little doubt it is really an embassy for negotiating the marriage of the Count of Flanders with the eldest daughter of Montpensier, who enjoys the rank of a Spanish infanta. The movement is meant to conciliate the sympathies of England and Spain upon this young couple as candidates for a constitutional throne in Mexico, and, no doubt, it is hoped to make this candidacy prevail in preference to that of Maximilian by means of the Mexicans themselves.

If this cannot be managed, there are many in Madrid who believe General Prim capable of maintaining the republican form of government in Mexico, and that he will be sustained by England. The Spanish government declares and repeats in all its organs that, if such is the deliberate determination of the Mexican people, Spain will not oppose their wishes; nor will the Spanish forces in Mexico ever attempt to force a monarchy upon that people against their will.

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Your information from Mexico will be better and more recent than any here. Ours shows, however, that General Prim had adopted, practically, upon the scene of operations the same policy of close and intimate understanding with the English representatives, whilst his relations with the French admiral were not so harmonious. We know, also, that Prim had already excited the animosity of the Spanish residents in the republic who have always acted with the clerical or monarchical party of Mexicans. Formal written memorials from these Spanish residents, complaining of General Prim, I am informed, have already reached this government, and fifties, hundreds of private letters have been received in Madrid criticising, and even denouncing, his conduct in the strongest terms.

You will have noticed, also, that the French journals have denounced what they call the temporizing policy of General Prim, and have been led to indulge in some unflattering expressions about the "*poor Spaniards*" and their expedition, which have driven the press of Madrid furious. Even the ministerial journals during the past week have hardly been able to dissemble their rage.

Thus it is both true and evident that all cordiality of feeling and sympathy is already lost between these allies in the invasion of Mexico. Whether any harmony of purpose still exists, you will be better able to judge than I.

In this state of affairs here, the telegraph announcement a few days since, that General Scott had been appointed an envoy or commissioner by the President of the United States, to proceed to Mexico with powers to treat with the Mexican government and with the representatives of the allied powers, produced a deep impression upon this government and the political circles of the capital. The personal signification of General Scott with ourselves is understood here. The history of his glorious campaign in Mexico is tolerably familiar, and the conviction that such a man would not go to Mexico without great powers and means to effect the results proposed by our government, made this news to be the prominent theme of conversation and of some degree of apprehension in all circles. The impression seemed to be that General Scott would be very likely to succeed; that means would be found to make or preserve peace; and that the real object of the allied powers would be frustrated.

This was feared, at least, and weighed upon the spirits of political circles so that yesterday, when the telegraph again announced that General Scott's name had been withdrawn from the Senate by the President, and he would not go to Mexico, it was greeted with joy and an evident sensation of relief.

I know nothing of the causes or incidents of this nomination or withdrawal, but report to you simply the sensations produced at this capital by these successive telegrams, and my own impression, judging from this place, that the measure of General Scott's nomination was eminently wise, and, perhaps, the best thing our government could imagine to be done for our interests in Mexico. But I judge only in the light of appearances in Europe.

It will not be amiss again to recall to your mind the representations contained in Mr. Schurz's despatch (No. 41) concerning the personal character and personal circumstances of General Prim. At the same time that the French newspapers urge this government to recall him, all the retrograde ultra Catholic and absolutist journals in Madrid have been making a strong effort to discredit him, and labor for his replacement in the command of the expedition by some other general more agreeable to themselves. The liberal journals defend him, and the ministerial press declares and redeclares that the government is completely satisfied with his conduct and defends and upholds him. They will uphold him. The present government of the Queen will hardly think of bringing back upon themselves, in Spain herself, the personality of General Prim as a disappointed man.

You will be able to gather from the circumstances I have mentioned that the intervention of our government in this Mexican business is already a subject of considerable apprehension, and it is broadly stated in some journals that unless the object of the allies is attained now, promptly, the ultimate result of the whole business will be neither more nor less than the establishment of a protectorate by the United States over Mexico, and the triumph of our principles throughout America. Others catch at straws; give great importance to the inaugural address of Mr. Jefferson Davis; and in spite of the triumphant march of our armies cling to the hope that our civil war will yet last for years. These things would have lost their interest before they could reach you.

I enclose for your perusal only two extracts from the *Epoca*, ministerial journal, showing the avowed policy of the Spanish government in regard to the throne,

And remain, sir, with the highest respect, your obedient servant,

HORATIO J. PERRY.

Hon. William H. Seward,
Secretary of State.

[*Translated from La Epoca,*[*] *of Madrid, of March* 13, 1862.]

"The high contracting parties bind themselves not to seek for themselves, through the employment of coercive measures, foreseen by the present convention, any acquisition of territory or especial advantage, nor to exercise over the domestic affairs of Mexico any influence in derogation of the right of the nation freely to choose and constitute the form of its government."—*Article 2d, treaty of London.*

The Mexican question is necessarily for some time to be the subject of earnest thought in Spain and Europe. It touches us very nearly. Its solution may exercise an influence too great on the destinies of Spanish America to allow us not to devote all our attention to it, and at the same time we should discuss it with that calmness and moderation which, if there were no other considerations, would call forth our feelings of patriotism. The highest interests are involved, and in view of the complications or benefits to which it may give place we completely forget the political position we occupy in the Spanish press.

In two points of view this matter merits attention: under that of the feeling which, it is said, has inspired what is called the conservative party in Mexico, in regard to the attitude until now of the representatives of Spain in that country, and in examining the differences to which that conduct may have given rise among some of the cabinets which, guided by the same noble thought, have concerted those measures for restoring peace and tranquillity to the Mexican republic.

The complaint made by the Spanish party is, that the allies at first thought of treating with the constitutional or Juarez party, but have done little or nothing to quiet the strong power in array against it. The reply is brief: The allies did not go there to revive old quarrels. What could be done was not to be by giving way to one or other of the factions that were injuring the country.

The prompt restoration of order, even by the establishment of a constitutional monarchy, would not compensate bygone disasters. That would be as poor a basis as for Ferdinand VII, in the civil war of 1823; or, for the elder Bourbons, that which placed Louis XVIII on the throne.

But what prevented the partisans of monarchy and of Spanish alliance from opposing Juarez after the allies had arrived at Vera Cruz? Two facts, which as symptomatic, should be considered by the three allied powers.

That disembarkation gave pretence to many to accept the amnesty offered by Juarez, on the ground of defending their common country. At the same time the correspondence, &c., of the *Diario Español* shows that at no time or place, from any party, or from natives or from Spanish by descent, did French or Spanish receive any aid or countenance, nor even from the thousands of Spaniards, French, or English established in the country. Perhaps they deemed more convenient for the allies to settle affairs, and not initiate measures in agitation of this or that idea, of this or that principle, or even of certain princes, although that may be here considered popular in Mexico.

But we consider that it is not the disgust of restless parties in Mexico. With every desire not to aggravate small matters of irritation, we must say the self-love, vanity, and national pride of France is mixed up in this question. France, always accustomed to be foremost, took umbrage that the Spanish army and fleet was in sight of Vera Cruz before the other allies. Afterwards, with an irrepressibility more Andalusian than northern, on the conception of the idea of a monarchy for this or that prince in Mexico, they deemed the thought and fact should be simultaneous; and it was enough that the tri-color should wave on San Juan for the Mexicans to acclaim Maximilian I as King of Mexico. Was that Spain's fault? Could the allies thus belie the most important article of the treaty of London?

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[*] A ministerial journal.

We need not argument. The question is satisfactorily settled by the attitude of the English government and Parliament, and public opinion. England, as well as ourselves, proclaims her respect for the will of the Mexican people, but makes no opposition to her choice to become a monarchy, and that certain names are acceptable to her sovereign. Singular enough, we, who have been accused of plans of ambition—of conquest in Mexico—are now charged with temporizing, as excessively well-disposed to the constitutional government in Mexico and the people. If the first charge was groundless, this need not grieve us, for it is especially our interest that our influence in Mexico (and that of Europe also) should not be accompanied by any disastrous consequences for her. The basis of our influence in Mexico should consist mainly in the lofty disinterestedness of Spain, and in her profound respect for the true interest of the Mexican people.

Doubtless we would be pleased were a Spanish prince by acclamation made King of Mexico, or that by the side of any prince of high character a Spanish princess should take her place. In all this we agree with our colleague "La España." But at present opinion is not in Mexico so just and favorable as it should be to Spain. And from considerations arising from the respective situations of Europe and America at present, either a republic should exist in Mexico or a monarchy should be established which should be *Catholic* and *constitutional* at the same time, *although not Spanish.* We, far from opposing this in any way, would entreat our country—our government and public—to support measures tending to those two supreme results, constituting a stable condition of things in Mexico, *preventing her absorption by the United States,* and keeping up the intimate alliance of the three western powers in face of the *eventualities* to which the *American question* may give rise.

Therefore it would be ill done to expect from us that, influenced by these or those motives, in our opinion, of little weight, and which will in time pass away, we should place ourselves in competition with France about Mexico. On the contrary, we are sure that Spain will on this occasion give a lofty example of loyalty compatible with honor to the two nations by whose flags ours now, perhaps, waves side by side in Mexico. Those will be greatly mistaken who may believe that if Mexican opinion decides upon a constitutional monarchy for that country, so disturbed by anarchy, Spain, because this or that prince might, in the plentitude of her power, be called by the Mexican people to direct her destinies, would prefer a republic, unstable and exposed to dangers, to another order of things, which, opening an unlimited scope to the legitimate Spanish influence in America, would obviate at some given time that which European powers, separated in action, could not do in resistance of the invasive spirit of the United States, which, with scarcely the dawn of peace between them, already threaten war against all the latin nations in America.

[Translation.—Extracts and substance.]

From La Epoca, of Madrid, of March 13, 1862.

The mission of Scott is probably to calm the excitement produced among the irritable Yankees by the presence of European troops on that continent.

It is our duty emphatically to deny that Spain would maintain, at any rate, a republic in Mexico. It adheres strictly to the treaty of London, and wishes a stable government established by the will of the people.

A monarchy sustained by our protectorate would require great sacrifices from us. The continuance of the republic—that is, anarchy—would bring round its absorption by the United States. To conciliate the great majority, to keep the conservatives with us, and look forward to a policy which will connect England, France, and Spain with Mexico is the true course. Spain will follow it.

From La Epoca, of Madrid, of March 14, 1862.

La Crónica de ambos mundos courteously asks our opinions, which we never disguise. We think that, in domestic as well as foreign questions, nothing is worse for governments than the negative policy. For some time the *statu quo* may answer; but in the end solutions come, often contrary to those who have not met them by an affirmative and resolute policy. The policy we advise as to Mexico is that of good sense, of true foresight, at the same time strictly sustained on the principles of international law, and of the treaties and conventions which have been agreed upon between England, France, and Spain. We desire Mexico, in the plentitude of its power, to act decidedly upon the question of its form of government. We, however, prefer monarchy to republic—the first based upon the popular vote and the loyal adhesion of the three powers.

Mr. Perry to Mr. Seward.

[With enclosures.]

No. 46.] LEGATION OF THE UNITED STATES,
Madrid, March 30, 1862.

SIR: I have had two interviews with the minister of state, Mr. Calderon Collantes, on the subject of your instruction of February 24.

The affair of the visit of the Sumter to the port of Cadiz, in January last, was closed by my addressing to Mr. Calderon the note of March 22, based upon the first part of your despatch of February 24, and embodying some of the suggestions of yours of February 4, of which I had before furnished Mr. Calderon Collantes with a translation.—(See my despatch, No. 39, March 8.)

The interview of March 26 was short, and turned rather upon the subject of the note of 22d instant, just referred to.

On the 28th instant the views of the latter part of that note were also alluded to, amplified, and, with varied argument and illustration, urged upon the attention of Mr. Calderon, with the general object of producing conviction that the people of the United States had been and would still be the best ally on which Spain could count in North America, from considerations connected with their own paramount interest politically, and from the harmony of mutual demand and supply in matters of commerce between the United States and the Spanish colonies.

I then read him your entire instruction of February 24. Mr. Calderon replied to the positions assumed by Mr. Seward, recognizing completely the bad condition to which the insurrection had been reduced by the recent successes of the armies and fleets of the government, and manifesting no idea that the insurgents would long be able to resist our power.

But the position of Spain towards us had, from the beginning, differed from that assumed by England. In the royal decree of June 17, 1861, he had carefully abstained from insisting on the word belligerent as equally and legitimately applicable to both parties in the contest begun in the United States But it was a civil war, and a war extensive enough and important enough to call for some rules of conduct, to be laid down by her Catholic Majesty's government, for the Spanish authorities and Spanish subjects to observe. The war was a fact, and he had merely taken cognizance of the fact and proclaimed that Spain wished to have nothing to do with it, and would have nothing.

Perhaps the word neutrality had been used, but the position of Spain was not neutral in the proper sense of the term. This government had never assumed the duties and obligations of a neutral power towards the insurrectionary party in the United States; it had not proposed to injure them, but it had not treated them and the government of the United States with equal favor, either in rule or practice.

The armed vessels of the insurgents were treated as privateers, and were not permitted in the Spanish ports, except so far as the exigencies of humanity appeared to demand; whilst the vessels-of-war of the government of the United States were lying in Spanish ports precisely as they had always done before this war commenced. The position of Spain was very different from that taken and maintained by England. He, Mr. Calderon, hardly knew from what Spain could retire, at least for the present. The civil war was a fact whose existence she had been forced to recognize, and that fact still existed, though recent events seemed to indicate that the war might soon terminate, a thing which he heartily desired.

Upon the last paragraph of your instruction Mr. Calderon said, No; he himself had never mistaken the strength and power of the government of the United States. It might be the case with some others in Europe, but, from the first, he had always estimated the power of the United States as immense. About the sentiments and policy of our people he was not so clear. Speaking frankly, he had considered us as somewhat disposed to be overbearing and aggressive, displaying little courtesy towards other nations, and little consideration for their rights.

I replied with equal frankness, confessing that many instances of the deportment of the United States towards foreign nations might be cited which would lend an apparent support to Mr. Calderon's idea, and, perhaps, better cited by Spain than by almost any other power; but I begged him to remark that all these things had happened during the time that the faction now in rebellion against the government had been dominant in its counsels.

What I wished especially to impress upon him was the fact that there was going on in the United States not merely a local insurrection but a great political change throughout the whole country; not a change in the sentiments of the people, perhaps, but a change in that these sentiments were now uppermost, manifest, dominant, and were receiving their true expression in the interior, as Mr. Calderon might be certain they would also be reflected in the exterior policy of the country. The American people desired peace and the peaceful development of their industry and commerce without attacking the rights or prejudicing the interests of any other people. They had always desired this, but, unfortunately, for twenty or thirty years previous to the election of Mr. Lincoln, these sentiments had been overshadowed, overlaid by the will and purposes of a privileged class, who were, indeed, overbearing and aggressive by the natural influence of their education and circumstances, but more yet because latterly to rule and to domineer had become for them a political necessity. In fact, the

American people had for many years bought their peace and the tranquil pursuit of their industry and commerce at the expense of yielding more or less to the lead of the class alluded to. The reaction had now come, and its natural effects must now be looked for not merely in the interior but in the foreign policy and purposes of the United States.

It would weary you to repeat all this long conversation. I may say, however, that Mr. Calderon seemed to listen with pleasure, and to be favorably impressed, having desired me to meet him again upon this same subject to-morrow.

After this conversation I left in Mr. Calderon's hands the translation, B, of your instruction.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO G. PERRY.

Hon. William H. Seward,
Secretary of State, Washington.

A.

Legation of the United States,
Madrid, March 22, 1862.

Sir: I have the satisfaction to announce to your excellency that the President of the United States, having considered the despatches which I had the honor to address to my government on the 17th and 18th of January last, and in which were reported all the circumstances which occurred, both in Madrid and at Cadiz, connected with the visit to that port of the privateer Sumter, up to the time of her departure, including copies of your excellency's note to myself of the 15th January, and of my reply of January 18, has now made known to me his full approbation of all the measures which I thought it my duty to take in that affair.

The President accepts the benevolent and friendly view which I was glad to be able to take of the course pursued by the government of her Catholic Majesty in regard to that vessel, having before him my representation that what was done to the Sumter in the way of repairs seemed to me to have been permitted by her Majesty's government rather with the object of getting rid of an unwelcome visitor as soon as possible than with the purpose of affording aid to our rebellious citizens, at war against their government, and my report that the repairs actually permitted could not well have been less under the interpretation given by her Majesty's government to the royal decree of June 17, 1861, whose good faith I made haste to recognize, though it was distinct from that which I should be glad to see adopted.

I am therefore now instructed that, although the United States have continually protested against and do not now acquiesce in the decision of the Spanish government to treat the insurgents as a belligerent, we have nevertheless not made this a cause for breaking ancient friendly relations with Spain.

And I am now permitted to say to your excellency that, looking upon the transaction in the case of the Sumter from the point of view arrived at by Spain in the royal decree above referred to, the government of the United States is very favorably impressed by the promptness and fidelity manifested by the government of Spain in dismissing that pirate from her port to the proper perils of the wrongful career in which she had been engaged.

In making this communication it is also my pleasing duty to express to your excellency the confidence reposed by the government of the United

States in the friendship of Spain. Indeed, the friendship of this nation began to be manifested towards the United States at the very birth of that republic, and through all the difficulties which the political changes of seventy years have brought with them it has never been belied.

The President sees nothing in the present aspect of affairs to lead him to doubt for a moment the reality and continuance of this historical friendship of her Catholic Majesty for the United States.

On the contrary, knowing that the government of her Majesty will not have let pass unperceived the loyal and decisive manner in which the American people have, in later years, opposed and defeated the schemes of certain conspirators to provoke ill feeling and even war between the United States and Spain, for the purpose of separating the Spanish West Indian colonies from her Majesty's dominions; and that the world is now witnessing the result that these very conspirators against the peace of Spain are the same who have gone into open rebellion against the government of the United States, because of the restraints put upon their filibustering and violent schemes for conquest and extension of the power of the class of slave owners in the Union, and for no other cause; and that the Spanish government will not have forgotten the avowed plan publicly expressed by the orators of this insurgent faction, when they rose in rebellion a little more than a year since, that after having imposed their will upon their own States and established their hoped for independence of the government of the United States, they would then immediately annex the Spanish islands of the West Indies with a portion of Mexico, so as to unite the whole slaveholding power of North America under one government capable of maintaining its independence against the world; the President, in view of these things, feels that the identity of interest which exists between the United States and Spain, as shown by recent events, cannot fail to have produced its corresponding effect in the sympathy and good will of the two governments.

Witnessing ourselves with sincere pleasure the increasing energy, vigor, and prosperity displayed since the accession of her reigning Majesty by an ancient people whose historical glory is unsurpassed, and conscious that the true interests of Spain and the United States in the western hemisphere are singularly harmonious, as well politically as commercially, and nothing but augmented power, security, and prosperity can result to either people from a more intimate intercourse and good understanding, the President of the United States instructs me to express to your excellency, with peculiar emphasis at this moment, the complete confidence which he reposes in the friendship of Spain.

It is with unmixed satisfaction that I thus close, on the part of my government, the correspondence growing out of the visit of the *Sumter* to the port of Cadiz, and avail myself of the occasion to renew to your excellency the assurances of my most distinguished consideration.

HORATIO J. PERRY.

His Excellency THE MINISTER OF STATE *of H. C. M.*

Mr. Perry to Mr. Seward.

No. 49.]

LEGATION OF THE UNITED STATES,
Madrid, April 15, 1862.

SIR: On the 11th instant I had the honor to bring to the attention of Mr Calderon Collantes the subject of your despatch of March 3, of which he informed me a copy had also reached him through the minister of Spain in Washington.

Mr. Calderon said that he found nothing objectionable in the views manifested in that despatch on the part of the United States; perhaps he might observe in reference to the paragraph "while population in America is so rapidly increasing, resources so rapidly developing, and society so steadily forming itself," &c., that, as regards Mexico, this idea of the progressive movement of her population, her resources, and the steady forming of her society, could hardly be considered as borne out by the facts, but this was unimportant.

As to the paragraph "the result would nevertheless be traceable to the presence of those forces there," Mr. Calderon did not combat the statement, but remarked that if those forces were there for a legitimate purpose and made no movement directed towards a change of government in that country in any determinate sense, even though a change should occur during their presence in Mexico, they could not be responsible for it.

Such changes had been occurring constantly in that country heretofore, and for causes more trivial than the presence of European armies within its limits. Intervention in the political affairs of Mexico, in the accepted signification of that word, Spain had never undertaken nor proposed to undertake. The Spanish forces went merely to obtain redress for past grievances, and in the hope to secure some better guarantee for the fulfilment on the part of Mexico of her treaties for the safety of Spanish subjects within her limits, and the security of their property from spoliation, than it had been possible to obtain heretofore from that unhappy country. Mr. Calderon conceived that whilst the state of anarchy which had so long desolated Mexico should continue, these guarantees of peace and the fulfilment of treaty obligations, and the protection of Spanish subjects within that jurisdiction, could hardly be expected.

But whilst he hoped, therefore, that some government more solid and durable might be established in Mexico, Spain would never undertake to dictate what that government should be, nor would she consent that any other power should dictate a form of government to Mexico, nor attempt to impose any determinate government upon that nation.

The Mexicans themselves must select their own form of government, and whatever it might be, whether monarchial or republican, Spain would not object to it if it gave hope of being solid and durable.

Whether Mexico should elect a King or a president was not the question, but whether this government of her election could be depended on.

If a republican government should be constituted, Mr. Calderon thought for himself that the president ought to hold office for ten or twenty years; he did not like the frequent changes of the Executive established by the Constitution of the United States, and which the Spanish-American republics had imitated, though from their previous education and habits this provision was evidently unfitted to their political necessities.

But the Mexicans would decide these questions for themselves.

The last news from Mexico seemed to indicate that things were moving in the direction of a pacific arrangement between the allies and Mexico.

France, at first, had not been content with the preliminaries signed at "La Soledad," but the explanations of England and the frank and loyal observations by Spain concerning those preliminaries had been well received by France, and this power had also accepted as a *fait accompli* what was done at "La Soledad."

Officially he, Mr. Calderon, could not say that there was any divergence of policy between the allies at this time.

I spoke of the candidacy of the Archduke Maximilian for a throne in Mexico, put forward by France

Mr. Calderon said that, though this idea had been entertained, the imperial government had now given assurances that it did not purpose to do anything positive in Mexico to procure the success of this candidate.

I took occasion in this interview to urge upon Mr. Calderon the harmony of interest which exists between the United States and Spain in these questions of North America. I told him that the United States by no means intended to object to the establishment of a solid and durable government in Mexico. We could not consent that the will of that people, in respect to their interior organization, should be violated by the forces on any European state, but every interest of the United States impelled us, as well as Spain, to desire a stable and prosperous government in that country. It was a mistake to suppose that the United States looked with pleasure upon the anarchy and weakness of Mexico, as affording to ourselves a better opportunity for territorial aggrandisement. On the contrary, there were few, if any, statesmen in the United States, now prominent in the councils of that government, who were not persuaded that our own strength and stability would be endangered, rather than increased, by the addition of Mexico to our territories.

The policy of Mexican annexation, if it had ever been prominent in our councils, was at best a pendant of the policy for the extension and perpetuation of African slavery in North America, which Mr. Calderon must consider as already repudiated by the American people. We should welcome such an improvement in the political condition of Mexico as should give us a frontier upon the south and a vigorous and prosperous foreign people to maintain it. But this must be the work of that people themselves, not a thing imposed upon them from Europe.

In fact, the positions taken in Mr. Seward's despatch were incontrovertible; nothing solid could be imposed on Mexico; any government coming from abroad and sustained from abroad would be transitory; the hearty and voluntary action of the Mexican people themselves was the only basis on which a stable government could be erected in that country. Mr. Calderon heard this train of remarks with pleasure, and said that he would assure me this nothing connected with this Mexican question could ever bring on any conflict between the United States and Spain.

On the 13th instant I had the honor to read this report of our conference of the 11th instant to Mr. Calderon, when, after suggesting some few changes, the same was approved by him as above written. In this second interview Mr. Calderon also said, you may state to your government that the policy of Spain in America, summed up in a few words, is this: Spain does not aspire to re-establish her domination over any part of the American continent. She does feel an interest in the welfare of the countries formerly her colonies, and would be glad to persuade them all that Spain is by sentiment and interest their best friend. Spain wishes them to understand, however, that, if she suffers great grievances at their hands and forbears, it is not from lack of power to chastise them. On the contrary, this government is conscious that no power in Europe is in a position to effect more in America, in a military point of view, than Spain herself. But her policy is not to weaken those nations by bringing upon them foreign wars and difficulties. She seeks the friendship of the independent States, formerly her colonies, for their advantage and her own.

She could not see their absorption by the United States with indifference. She wishes them to maintain their independence and the integrity of their territories, and to become strong and prosperous. She will not herself lay hand upon that independence in any circumstances, nor can she see this independence threatened by any other power, European or American, without considering her own interests to be compromitted.

Mr. Calderon was persuaded that my representations of a change in the tendencies of the government of the United States, since our southern statesmen had ceased to be dominant at Washington, were just.

He believed that we did not ourselves now desire the acquisition of Mexico, and he would, therefore, assure me again that no cause of difficulty, no conflict, could arise out of this Mexican business between the United States and Spain.

And Mr. Calderon would also say more. He would assure me and my government that, according as the conviction of this change from the former aggressive disposition manifested by the United States penetrated into this country, and the apprehension of a descent by us upon Cuba ceased, according as confidence in this respect was re-established, we should see that the government of Spain was ready and desirous to welcome and confirm a policy of good faith and good neighborhood with the United States.

Spain would then amplify and stimulate the commercial intercourse between the United States and her own colonies, making everything connected with the friendly intercourse of the two countries broader and freer. She would give to her commercial regulations all the width and freedom consistent with the various products of the two countries.

On the 15th instant, in another interview held for the purpose, the despatch of Mr. Seward was re-read, as well as the preceding report of the conference of the 13th instant, when, the same having been approved by Mr. Calderon, I was authorized to transmit this despatch to my government, and requested to furnish Mr. Calderon with a copy, to be forwarded by him to the Spanish minister at Washington for his instruction, as embodying the true sentiments and purposes of the government of her Catholic Majesty.

I have the honor to be, with the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Perry to Mr. Seward.

[Extract, with accompaniments.]

No. 53.]

Legation of the United States,
Madrid, May 3, 1862.

Sir: Your instructions up to April 14 (No. 27) have been received and properly numbered as you direct.

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Perhaps I have omitted to mention heretofore that Mr. Rost, styling himself a commissioner for the so-called Confederate States, has been residing at Madrid as a private gentlemen for some six weeks past. He applied to be received by this government in his pretended official capacity, but Mr. Calderon Collantes declined the honor of such an interview, and immediately sent me word of the application made to him by Mr. Rost, and of his reply.

Mr. Calderon told me he should have no difficulty in meeting Mr. Rost as a distinguished foreigner, but would have no intercourse with him, in his own capacity, as minister of state.

I have no reason to suppose that this resolution has been deviated from in practice.

* * * * * * * * *

You are already aware that the Sumter has been abandoned by her officers and that part of the crew which had not previously deserted.

The subsequent incident of the shipwreck of part of the officers and crew of the pirate, aboard an English steamer, on the English coast, near Vigo, is related in the enclosed correspondence.

I may be permitted to congratulate you upon the ultimate success of my efforts, in the first instance, to prevent those repairs which were indispensable to the pirate's efficiency as a war vessel, as also to provoke the desertion of her crew, (V. despatch No. 36, of February 22,) of whom I am informed she lost 43 men, as well as the successful efforts of Mr. Sprague to prevent her receiving coals at Gibraltar; all of which gave time for our vessels of war to arrive in the straits, and bring at last the career of this corsair to the inglorious conclusion just mentioned.

I have the honor to remain, with the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD, *&c., &c., Washington.*

A.

Consul Sprague to Mr. Perry.

[Telegram.—Translation.]

GIBRALTAR, *April* 12, 1862.

Semmes, with nine others from the Sumter, started last night for Southampton, on an English steamer.

SPRAGUE.

B.

Consul Barcena to Mr. Perry.

[Telegram.—Translation.]

VIGO, *April* 16, 1862.

Among the passengers saved from the wreck of the English steamer Euphrosyne, which happened yesterday, are seven of the crew and officers of the steamer Sumter, in a destitute condition. Be pleased to telegraph me your instructions.

MANUEL BARCENA, *Consul.*

The MINISTER OF THE UNITED STATES,
Madrid.

C.

Mr. Perry to Consul Barcena.

[Telegram.—Translation.]

LEGATION OF THE UNITED STATES,
April 16, 1862.

Officially you cannot aid the shipwrecked Sumter's men. From my private purse you may expend fifty dollars in aid of those unfortunate persons. The letter of credit will go by the mail to-night.

HORATIO J. PERRY.

MANUEL BARCENA Y FRANCO,
Consul of the United States at Vigo.

D.

Mr. Perry to Mr. Barcena.

LEGATION OF THE UNITED STATES,
Madrid, April 16, 1862.

SIR: Your telegram, announcing the shipwreck and safety of seven officers and crew of the steamer Sumter, is just received.

I have answered you by telegraph that, officially, you could not receive these men as destitute seamen of the United States.

If, however, any of them should be disposed to return to their allegiance to the government they have outraged, and will take the oath of fidelity, as prescribed by the Department of State, in good faith and with honest purpose, I hereby authorize you to treat them as any other destitute American seamen would be treated in the same circumstances.

Your obedient servant,

HORATIO J. PERRY.

MANUEL BARCENA, Esq.,
Consul of the United States, Vigo.

E.

Mr. Barcena to Mr. Perry.

CONSULATE OF THE UNITED STATES OF AMERICA,
Vigo, April 23, 1862.

I have the honor to acknowledge the receipt of your despatch dated the 16th instant.

The officers of the rebel steamer Sumter have not applied to me for protection, and have left for Southampton, in the Peninsular and Oriental Company's steamer Tagus, on the 18th instant.

I have the honor to be, with the highest respect, your most obedient, humble servant,

MANUEL BARCENA Y FRANCO,
Consul.

His Excellency the ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA, *Madrid.*

F.

Mr. Perry to Mr. Barcena.

[Confidential.]

MADRID, *April* 15, 1862.

DEAR SIR: Your telegram announcing the shipwreck and safety of seven of the late Sumter's crew has just arrived.

Mr. Sprague informed me that the Peninsular and Oriental steamer Moolton had taken on board, at Gibraltar, Captain Semmes and eight others, belonging to the rebel steamer Sumter, as passengers for Southampton.

Are these the shipwrecked men? You mention seven officers and crew as saved. Were the other two lost? Was Captain Semmes among the saved?

I regret, in such a case of misfortune, that official duty will not, in my opinion, permit you to succor these men from the funds of the government for the relief of destitute seamen.

I send you enclosed fifty dollars from my private purse, to be applied by your kindness to the relief of these unfortunate Americans, and have no doubt your own heart will guide you right in its distribution.

You need not mention whence this money comes, as I have made war, in my official capacity, as hardly and as efficiently as I was able against Captain Semmes and his crew ever since their appearance at Cadiz, and it might not be agreeable to them to know that I have any part in relieving their misfortune.

Be so good as to inform me of the particulars of this shipwreck, and accept my thanks in advance for your trouble.

Why could you not prevail upon the English consul, or some third person of your confidence, to use this money and be kind to my erring countrymen in their distress, without having too much to do with them yourself?

As American consul, you must keep aloof unless they are repentant.

Truly yours, &c., &c.,

HORATIO J. PERRY.

Manuel Barcena, Esq.,
United States Consul, Vigo.

G.

Mr. Barcena to Mr. Perry.

[Confidential.]

Vigo, *April* 23, 1862.

Dear Sir: I beg to acknowledge the receipt of your favor of the 15th instant, and to inform you, in reply, that the seven officers belonging to the rebel steamer "*Sumter*" left Gibraltar in the British steamer "*Euphrosyne,*" which vessel put into this port for coals, and was totally wrecked in consequence of having struck on a sunken rock on Conobedo Point, a few hours after having left this bay.

The captain of the "*Sumter*" was not among them I believe; besides the seven officers, there were also four Irish sailors belonging also to the crew of the "*Sumter,*" who were provided for by her Majesty's consul.

Having been able to obtain a cheap passage to Southampton, the seven officers did not accept the money I had offered to them by a third person. I learnt, afterwards, that one of them had been the last to leave the sinking steamer, and had saved part of his money, say about $150.

I return the bill you enclosed in your letter, and remain your most obedient, humble servant,

MANUEL BARCENA Y FRANCO.

Horatio J. Perry, Esq.

Mr. Perry to Mr. Seward.

No. 57.] LEGATION OF THE UNITED STATES,
Madrid, May 25, 1862.

SIR: The news of the sudden termination of the Spanish Mexican expedition caused a great sensation at Madrid. I deem it unnecessary to repeat all the different opinions and comments which have been expressed in conversations and in the press.

All branches of the opposition to the present government have seized upon this event to make furious attacks upon the ministry for having allowed the honor of Spain to be dragged in the dust, and it was for a moment supposed that the cabinet could not survive this shock. But as the first outbursts of passion or prejudice have passed by, the public sense of Madrid seems to be taking an altogether different view of the matter. The aides-de-camp of General Prim have now been here for several days and the situation of things in Mexico previous to the rupture between the allied plenipotentiaries begins to be better understood.

It is, I think, generally conceded already that at the height the pretensions of France had been carried in Mexico the prompt and somewhat brusque action of General Prim in retiring the Spanish forces from the scene of action was the best possible way left them of getting out of the affair. It is seen that if they had remained, if they had gone on with the French towards Mexico, the forces of Spain would have either been forced to do battle under French orders, for a policy not Spanish, or to break with the French after military operations had actually commenced, a step which would then hardly fail of producing serious complications between Spain and the French government, such as is our evident interest for Spain to avoid.

The discourse of Mr. Calderon Collantes in the Cortes on the 19th instant, when the government of the Queen boldly declared its approval of the conduct of General Prim and made important revelations, which you will find marked in the enclosed copy of his speech, produced an excellent effect, and the *moderato* opposition, which believes that Napoleon III is the only statesman in Europe, retired quite vanquished and crestfallen from the debate which they impatiently provoked.

Though there has not been time to receive any instructions from you since the news of General Prim's action in Mexico could have been known at Washington, I considered it my duty, following the evident spirit of your policy in this question, to immediately seek an interview with Mr. Calderon Collantes and felicitate him upon that event.

A copy of my verbal note of the 19th instant will be found enclosed.

I was in some degree moved to this step also by the excited and, as I conceived, mistaken attitude of the opposition journals on the one hand, and because I knew that the French ambassador, Mr. Barrot, was long and frequent in his interviews with Mr. Calderon, and I suspected that the attitude of France toward this government would not be benevolent. It was proper and opportune therefore for the United States to give expression to their sense of the loyalty, good faith, and true foresight with which the Spanish government and their general had proceeded in Mexico; and if this should serve as any moral support to Spain against the pressure which might be put upon her from France, I did not imagine this circumstance would contravene any part of your policy either towards Spain or towards Mexico. I have heard, since my interviews with Mr. Calderon, that this government is proud and content with the attitude of the United States towards Spain. Indications of this have appeared in the press. A leader of the democratic opposition came to me to know if it were a fact that this government was well with the United States as they boasted, for they were putting this forward as a strong point in their favor in this Mexican business.

I assured the leader of the Spanish democratic party that the best relations existed at this moment between the present government of Spain and the government of Washington. We had every motive to approve and none to disapprove the conduct of the Queen's government in the Mexican business; and I turned his attention to the evident similarity of interest which might impel Spain and the United States to a common line of action in America, in case Mexico should become a dependency of France and the aggressive designs of the Emperor should not prove to be limited by the Mexican frontiers.

The idea of possible danger to the Spanish colonies lying on the road between Mexico and France has been quickly seized, and the anti-French feeling of the people comes bravely up in support of the government, and the whole of this works well together, exciting the sympathies of all classes at this moment in favor of the actual government of the United States.

I have had frequent occasion, also, in quarters not distant from the palace, to praise the admirable instinct of the Queen, which led her from the beginning to repel the candidacy of the Archduke Maximilian to a throne in Mexico, out of which no possible good could come to her Majesty's dynasty, nor to the interests of Spain in America in any event.

* * * * * *

It is indeed evident that your direction of the policy of the United States in this question of Mexico, the firm and constant attitude of our government, kept free as well from all passion or exaggerated pretension on our part as from any sign of weakness or disposition to permit that the internal policy of the American republics should be dictated from Europe, by the late powerful coalition, have had a great influence upon the actual course of events.

Your important despatch of March 3, No. 17, crowning the policy which you have developed from the beginning, produced, as I had the honor to state in a prior communication, the most beneficial effects upon the cabinet of Spain; and I may here most justly and properly congratulate you upon the results obtained in this instance, as one of the few cases since I have observed the world's affairs, where the diplomatic arm of the American government has wielded the means at its command strongly and skilfully so as to produce a palpable and evident effect upon the course of political events.

It will not be improper to add that Spain at least will be found considerate and friendly whenever our government may choose to treat her as she has been treated since your own direction of our foreign affairs, with some comprehension of the nature of this government and people and a complete avoidance of the unadvised blundering or gross threats which have too often heretofore formed almost our only demonstrations towards this sensitive and justly proud nation.

There is a limited fraction of deputies in the Spanish Cortes, of officers in the army and navy, men who have been to Paris, and speak and read French, some under officers of the Spanish state department and members of other branches of the administration, who eat dinners at the French ambassy and represent a considerable coterie, which maintains that a close alliance with France is the only safe and fruitful policy for Spain; but they are overborne at present by a majority of all classes who desire for Spain a strictly national and Spanish policy in Europe and in America.

I am happy to be able to report also that the persuasion gains ground here that the policy of the government of President Lincoln is not antagonistic to the policy of Spain in America, as explained and declared to me by Mr. Calderon, but the reverse; and the good intelligence of the two governments under your direction of affairs, if no untoward circumstance should intervene, may soon be expected to rest upon a firm and reliable basis, which will serve you for such further developments of your policy as you may think the interests of the United States demand.

Having thus summed up the general aspect of things at Madrid, in connexion with this Mexican affair, I retain the detailed report of my interviews with Mr. Calderon, which could not be prepared in time for the steamer of this week, especially as I wish to submit the same to Mr. Calderon for his approval before it is transmitted.

I will, however, anticipate the communication of the fact, which you will probably learn also from our legation in Mexico, that a treaty was actually prepared and agreed upon between the Spanish plenipotentiary and the Mexican government, whose terms cover all the claims of Spain on Mexico, and even stipulate the payment by Mexico of the expenses of the Spanish expedition. This treaty was not signed on account of material impossibility for the plenipotentiaries to meet for that purpose; but Mr. Cälderon holds Señor de Clado's written pledge on the part of Mexico that the same shall be signed whenever the representatives of the two nations can meet for this purpose.

A Mexican minister is expected to come to Madrid, and General Prim is mentioned as Spanish ambassador to be sent to Mexico.

I have the honor to remain, with the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Perry to Mr. Calderon Collantes.

[Translation.]

Legation of the United States,
Madrid, May 19, 1862.

The chargé d'affaires of the United States presents his compliments to the minister of state, and requests him to do him the honor to appoint a time in which he may have an interview with his excellency, for the purpose of congratulating him upon an event in a high degree reflecting honor upon the government and flag of her Catholic Majesty.

Mr. Perry avails himself, with much pleasure, of this occasion to renew to his excellency Señor Don Calderon Collantes the assurance of his most distinguished consideration.

His Excellency The Minister of State *of her Catholic Majesty.*

[Translation.—Extracts]

From No. 123 *of Diario de las Sesiones de Cortes, Madrid, May* 19, 1862.

What was the purpose of this policy? I will tell you. In America there were two completely mistaken opinions.

It was thought by one party that the Spain of 1862 was the Spain of 1814, or of 1824; it was believed that it was feeble; that by the side of its feebleness it entertained ideas of absorption or of reconquest, and yet with feebleness ambition very poorly accords. For this it was needful to demonstrate that in the future the relations of Spain with the American continent might be facile, suitable, and dignified; that Spain of 1862 was not the Spain of 1814, nor of 1824. Our army was not understood out there; out there the reconstruction of our navy was not understood; it had not made a visit to those countries out there, whence our flag, in sad days which should not be recalled, had been, not expelled, but withdrawn because of the calamities and misfortunes which afflicted the monarchy, and of the dissensions to which through so many years this great nation was subjected.

It was therefore necessary to demonstrate what I have said; but another thing was also necessary; it was necessary that it should become known that the policy of Spain on the American continent was wholly disinterested; inspired by justice and sprung from a fraternity of feeling which in the future we would not belie in our relations.

Therefore, on this occasion, believing, as I do believe, the despatches from the Spanish plenipotentiary in Mexico and from the commander of the forces, believing, as I do believe, what has reached me through other channels not of so high authority, but so respectable as to inspire full confidence, these two purposes have been attained, and the policy of the government, on the most essential and important point, has achieved a present realization. But in respect to Mexico, when we ordered our expedition there we laid down four bases of action, from which we have not for an instant swerved, and thus I reply to all that Mr. Castro has said, and I reply plainly, frankly, explicitly. The government held when signing the convention of London, and through all the acts which it afterwards executed for bases of action, which have been invariable:

First. Justice in all its reclamations. The claims which Spain presented have been just, have been moderate; have been so moderate and so just that they were accepted. A matter also which Mr. Castro did not know.

Second. The government of her Majesty, on signing the convention of London for sending national troops to Mexico, proposed to itself to respect the independence, and the freedom of that nation to establish its institutions in the manner which should most conform to its habits, its ideas and its wants.

Third. The government purposed faithfully to carry into execution the convention of London; let Congress well understand in which were laid down all the obligations entered into by her Majesty's government with the allied governments, and with any other country, such as the United States, invited as they were to adopt the convention. There are no obligations, no engagements but those which are contained in the convention of the 31st October of the year last past. Mr. Castro has referred upon this point to advices and versions completely mistaken.

I declare to you, sirs, that when General Almonte came to Madrid and saw the president of the council of ministers, and saw the secretary of state, he heard from both statements which maintained the interests of the country, our dignity, and our principles Does Mr. Castro wish to know more clearly what were our responses? Then I will tell you, sirs; but how, is it not already public, that the thought which has made place for so many conversations, so many labors, so many difficulties, is a thought principally conceived, principally put in movement by Mexican emigrants in Paris and at other places in Europe?

Well, General Almonte came to Madrid after the departure of the commander-in-chief of the troops and the plenipotentiary of her Majesty, to command the expedition, and to conduct the negotiations which were to be carried on in Mexico; and he came to tell us what were the wishes of some of his friends, emigrants in Europe; he came for this; did Mr. Castro wish to know it? Does he now wish to know the answer we gave him? Then I am going to tell him, adding that I am willing to hear all the questions which he may put to me; to answer them with all the frankness permitted to me by the nature of the affairs I may have to discuss, and with the reserve imposed upon me by the position which I fill, in which it is often necessary to sacrifice one's self love, and other things temporarily and transitorily, even to one's reputation, because the public good may so require, and because it is the duty of good statesmen. You, gentlemen, know that on grave questions, by saying all that lies at the bottom, and all that is involved with them, and making public the whole matter, interests of very sacred character may be compromised and dangers and differences be brought upon the country. This is not done by the most ordinary man even when he is intrusted with the management of affairs of the immense importance which attach to those connected with the government of a country.

Well, sirs, I have no occasion for reserve in telling you the answer given to General Almonte. It was said to him—when did you come? And here I have no occasion to mention what the President said to him, who coincided in the opinion and even the form of expression with the minister who is speaking; and this is a satisfaction I enjoy, and which I wish to impart to some deputies who are making some demonstrations. I said, then, you have come to talk of an idea you have conceived, of a project for effecting which you have taken many steps in advance, precisely when our expedition has set out, when our general-in-chief who is to command it has gone, and the plenipotentiary who bears with him the instructions of the government. This fact alone, this single circumstance exempts me, not only as minister, but as Spaniard merely, from giving you any answer. I added more; the plenipotentiary of the Queen, and the commander-in-chief of the Spanish troops have had instructions upon all the points which were discussed when concluding the convention of London, and particularly the difficulties which may present themselves; and above all, I solemnly declare here that every precaution was had to estimate duly the incidents which might turn up, and the solutions which would be adopted in every case.

If Mr. Castro gives credit to the documents when they are presented, he will see if Mr. Castro, outside the documents, puts faith in what relates to verbal declarations, to the speech of the minister of state and of Count de Reus, those words will be harmony when the fit time comes; when all the questions may be discussed which it was foreseen might present themselves in Mexico, and of the turn which things might take. Does Mr. Castro require a reply more plain and more conclusive? It was then said to General Almonte that they could have no reason to reckon in any manner on the support of the Spanish government, from the mode in which they had initiated the question and begun to realize their idea, because the government of the Queen, beyond all things, desired to give on one day and on any day, in all its acts and language, irrefragable proofs of the respect with which it regarded the independence of that unfortunate republic, and for the freedom which that people enjoyed to shape its constitutions as would best suit them, as there was no government existing with which they had any anterior connexions. We know, then, Mr. Castro must already see what the project was; we were not ignorant of it; we apprized Count de Reus of the course to be pursued in the eventualities which might present themselves.

The Count de Reus has acted upon the instructions of the government; and therefore when we have believed that through his noble sentiments, so worthy a distinguished soldier, he was sometimes, perhaps, more considerate, somewhat more indulgent, than allowable by the nature of the government he was dealing with, and that of the affairs placed under his direction, we have urged to energetic action, if the prospects did seem productive of the results, which he in his loftiness of spirit looked forward to. Accepting, then, the idea of coming to a conclusion, pacific, conciliatory, and friendly, upon the great question agitated in Mexico, we believed that at times a certain vigor was called for, and we recommended it. But we always took care that any conflict with the other plenipotentiaries should be avoided, and that was the fourth basis of our action. Then came up a special question upon which, at this moment, I have but little to say. Mr. Castro has referred to it, but he has not made a thorough analysis of it, because he could not do so, nor has he uttered a clear and definitive opinion, because he has not formed one. Because we cannot ignore it, we cannot forget it, that what Mr. Castro would desire is, that the government, at the moment of receiving advices of events, which he sometimes qualifies as at least inconvenient and prejudicial, and at others as untoward for the honor of the country and its interests, should have uttered its opinion so as to have impugned it with safety. But Mr. Castro does not know what the opinion of the government is about this business, and hence springs that vacillation, that timidity, inappropriate to him when occupied with this event. After telling us that he had arranged the great plan, the terrible accusation with which he was going to finish the wretched existence of this moribund administration, his worship has arrived at no determinate opinion. He has declaimed, but he has not reasoned. A fact has happened, at first incredible, is what he said—well, pass the word round; one thing, however, I will not pass—with one remark I will not be indulgent; he said that from the moment when the event was announced the friends of the administration believed it impossible—believed such event would dishonor the country and destroy the credit of the government; but, nevertheless, they have since changed their opinion, converting their grieved and disconsolate accents into words of pleasantness and approval. * * * * * This event, which Mr. Castro has considered, has not been passed upon up to this day, nor has it been condemned, as Mr. Castro affirms.

Now, I will say something more of what Mr. Castro has said, and if, in saying more of what he has said, he believes that the solution which has been given to the question is a solution which compromises the honor and interests of the country—if he believes the government has incurred by it a moral responsibility which may in time be converted into a legal responsibility—that would be another motive why he should maintain his proposition and demand a vote upon it. I am about to say more. The government has thought that, in the situation to which things have come, regretable and unlooked for differences having sprung up between the Spanish and English plenipotentiaries on the one part and the French on the other, the resolution adopted by the Count de Reus was inevitable. He could not adopt another, as the question was radically set according to the differences of opinion which showed themselves at the conferences.

The resolution adopted by the Count de Reus to withdraw the Spanish forces from the Mexican territory was a necessary resolution ; it was not at his option to take another; he could not remain without grave risk—without exposing himself, and exposing the Spanish troops, the government, and the nation to great contests. Oh, but if it had been allowed that that event should have occurred to which, in another way, Mr. Castro distinctly alluded. If it had occurred in presence of our army, then what would Mr. Castro have said? What an indignity! Then would he have said that by its presence it had sanctioned, and by its inaction permitted, a thing contrary to the honor and interests of the country. And if that should have been realized; if the Spaniards, impassable and with arms shouldered, had witnessed this event without adopting any decision, on whom would the censures have fallen? Would they have included the Count de Reus, or would they be confined to her Majesty's government? For it must be observed that I notice in the discourse of Mr. Castro a certain desire to throw exclusively upon the government all responsibility for the occurrences and the acts which have taken place in the expedition to Mexico, excluding entirely the Count de Reus.

The Minister of State, CALDERON COLLANTES.

Mr. Perry to Mr. Seward.

No. 58.] LEGATION OF THE UNITED STATES,
Madrid, May 30, 1862.

SIR: I have the honor to report for your information what was said in the interview which took place on the 23d instant between Mr. Calderon Collantes and myself, and which was also referred to summarily in my last despatch.

On the occasion referred to I informed Mr. Calderon that I was still without instructions from you, written since the embarcation of the Spanish troops from Vera Cruz for the Habana could have been known in Washington. I ventured little, however, in saying that my government would regard that conduct of the general in command as a high proof of the loyalty and good faith with which the government of Spain had proceeded in this business. I was of opinion also that, at the height the pretensions of France had reached in Mexico, it was the best possible termination of Spanish participation in the affair. It hardly comported with the dignity, certainly not with good policy on the part of Spain, to march in second line after the French in Mexico, even if there had been no previous obligations to be regarded; but the stipulations of the treaty of London, offered also to the United States for their co-operation, and the repeated declarations of Mr. Calderon to myself, certainly forbade Spain to engage in the project now openly avowed by the French agents of putting the Archduke Maximilian on the throne of Mexico. I was aware that it must have been a delicate matter for Spain to break with France in this affair, but it was better now than later, and the vigorous action of the Spanish general and plenipotentiary at the critical moment when it was exerted had left the French so evidently in the wrong and placed Spain so boldly in the right that I had little fear of any serious complication for Spain with the government of the Emperor. His imperial Majesty was too sagacious a statesman and too mindful of the public opinion of the world to pursue Spain on such ground.

I thought to interpret faithfully the public sentiment of America in assuring Mr Calderon it would be decided and even enthusiastic in favor of the highly honorable conduct of Spain. And I did not confine my remarks to the United States; I had myself made a campaign in Mexico and had seen something of that people, knew something of the ideas which prevailed among them, something of what would be their probable feelings and sentiments in view of the events which were passing among them.

The national feeling of Mexico would be strongly roused by the attitude now taken by the representatives of France, and the government of President Juarez would never have been so strong and well supported in Mexico as now when its existence was threatened from abroad.

If the Spanish government had before been looked upon with prejudice or enmity in Mexico, which was in fact true, I had no doubt it would hereafter be treated with respect and perhaps with affection. The effect of the recent conduct of Spain in Mexico would not be to lessen, but in all probability to increase her influence in all Spanish America, and open for her facilities for arranging her questions pending with those independent states such as she might never have obtained if her military expedition had continued its course with the French.

Spain had, in fact, undoubtedly obtained a great part of the object which she proposed by this expedition, as it had been repeatedly explained to me by Mr. Calderon. She had shown the Spanish-American states that she was not without means to assert her rights if she were aggrieved. They had seen that a complete army, well-disciplined and appointed, with a valiant general at its head, could be sent from the island of Cuba at short notice, attended also with a powerful fleet of screw frigates, such as any nation would be proud to possess.

This was palpable evidence that the Spain of to-day was no longer the Spain of that time when the struggles of colonial independence took place. Spain had planted her flag alone on the forts of Verá Cruz, and afterwards the conduct and discipline of her soldiers had gained for them the respect or good will of the inhabitants who had seen and dealt with them, whilst at the same time she had now demonstrated that it was not her purpose to send her forces into those states with any aggressive plan for intervention in their interior policy and government. I should acknowledge myself mistaken if, in relieving herself from an unsustainable position in Mexico, Spain had not by that very act obtained moral advantages quite equivalent to the objects which she had proposed in this expedition to accomplish.

Mr. Calderon manifested much pleasure during the course of these remarks, saying that, in fact, the two great points of showing to the American republics the power at the same time with the forbearance and good will of Spain he hoped had been attained; but he would also inform me that the whole object of the Spanish expedition to Mexico might be considered as accomplished. And her Majesty's minister here entered upon a train of remarks which, as he afterwards informed me, were not to be regarded as of an official character, and are therefore suppressed. Spain having thus attained the objects of her expedition to Mexico had retired when her work in that country was done, in fulfilment of the stipulations of the convention of London and of the assurances which he had had the honor to give me and afterwards to transmit to Mr. Tassara for his instruction at Washington.

Mr. Perry also made some observations upon the probable fortunes of the French expedition to Mexico, not doubting the power of France to occupy the capital of that country and establish temporarily any kind of government she pleased; but whatever the form or appearance of such government might be, it would be either very transitory or it would end in being the government of France herself.

Mr. Calderon assented to this remark, but doubted whether it could be the serious plan of the French Emperor to follow up the expedition to Mexico as the beginning of a permanent intervention in the interior affairs of that country.

Mr. Perry replied that sound policy would certainly not counsel such a project, and doubtless the Emperor was too well informed of the nature of such an enterprise in a military point of view, as he certainly was too sagacious a ruler to have conceived that idea in the beginning. But the course of events might prove to be stronger than the purposes of the Emperor of the French. It was no criticism upon the political conduct of the Emperor to suppose that when he crossed the Alps into Italy, in 1859, he could have had but a very imperfect idea, if any, of the turn which Italian politics have really taken in consequence of his act, or of what would really be his own action as realized by events. Probably, though the action of the Emperor in Italy must be said to have been eminently successful, not one of his preconceived plans had been followed out, aside from the stipulated annexation of Nice and Savoy.

The road from France to Mexico was long, and the condition of the latter country not such as to inspire the highest confidence in any political calculations concerning it. But how would France be able to retire from her present enterprise once fairly begun? And if a French administration should come to be imposed on Mexico? The country was rich in resources and might gain, materially, at least, by such a change. Was not the vision of such a dependency of the empire as Mexico might become bright enough to obtain for the Emperor by and by the support of the French people to procure it?

The visible policy of the Emperor, which he pursued constantly and at the expense of every sacrifice, was to increase the maritime power of France. He had created a magnificent war marine, but he lacked behind it the resources which the possession of a great merchant service could only supply. When thousands of ships should be crossing each other between Mexico and France, conducting a thriving commerce which it would be in the power of the Emperor to confine to French bottoms, would not the merchant navy of France be created? These were questions merely, but they were such as the present attitude of that power in Mexico made natural and necessary.

I wished merely to say to Mr. Calderon that the geographical and strategical position of the Spanish colonies in the West Indies, with their magnificent harbors on the road between France and Mexico, ought to make the government of her Catholic Majesty careful as to the consequences of the present French intervention in the interior affairs of that country. In my own humble opinion, though I spoke unadvisedly and without the knowledge of my government, the conversion of Mexico into a French colony ought to be looked upon as deeply interesting at the same time to England, to Spain, and to the United States.

Mr. Calderon observed that we in the United States were the most interested. Mr. Perry answered that, in his judgment, the first and most deeply interested was England, for reasons which it is unnecessary to repeat. After England came Spain, from the position of her American colonies. But the United States, though they certainly could not witness the permanent occupation of Mexico by the French with indifference, esteemed far too highly the political sagacity of the present Emperor ever to imagine that he would, under any circumstances, dream of seeking a second Moscow in the territories of the United States themselves.

Mr. Calderon informed Mr. Perry that the whole history of the allied expedition and the rupture of the plenipotentiaries would be laid before the Spanish Cortes as soon as the voluminous correspondence could be copied, and he had no doubt that the conduct of Spain would receive the complete approbation of the government of the United States.

Mr. Perry again assured Mr. Calderon that this, indeed, was hardly doubtful, even upon the data already before us, and took his leave, once more expressing in earnest language his sense of the noble and chivalric deportment of the Spanish general and plenipotentiary in Mexico, who had now added to his well-earned laurels as a soldier the proofs of great political foresight and a moral courage which did honor to himself and to his country

Most respectfully, sir, your obedient servant,

HORATIO J. PERRY.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Perry to Mr. Seward.

No. 68.]

LEGATION OF THE UNITED STATES,
Madrid, July 7, 1862.

SIR: I have the honor to report for your information that on the 4th instant I called on his excellency Mr. Calderon Collantes, by appointment, at his office of state, and after some other conversation said that I had lately received an instruction from Mr. Seward relative to Mexican affairs, the import of which I was glad to have an opportunity to communicate to her Catholic Majesty's minister of state. Mr. Seward, whilst he considered that the uncertainty still hanging over the course of events in Mexico counselled him to defer further discussion upon that subject, especially after the clear and full explanations of the views of the government of the United States which he had already given to the powers that signed the convention of London, nevertheless, had authorized me, on one point, to speak with all the strength that might be needful for the assurance of the government of Spain.

Mr. Calderon said that he was very desirous to hear from the government of the United States on this subject. Public attention has been strongly excited by the report that the United States had concluded a treaty with Mexico, in which various provinces had been pledged in security for the payment of an advance of money to Mexico by the United States.

I thereupon read your instructions No. 31, May 29, to Mr. Calderon, and remarked upon the last paragraph that notwithstanding the reports which had reached Madrid of a treaty by which the sovereignty and independence of Mexico were supposed to be put in jeopardy through the diplomatic action of the United States, he ought to feel assured that there was no such plan on the part of the government of Washington, either executed or intended to be executed.

Mr. Calderon was glad to have that assurance. The principle announced by Mr. Seward, that respect for the sovereignty and independence of nations was the most effectual security for peace and the progress of civilization, met his hearty approval. Spain had acted on this principle, and would continue to act. It was a neglect of this principle which alone could bring on serious complications.

Of the fact of the existence of a treaty pledging the sovereignty of certain Mexican provinces for the repayment of money to the United States, he believed there was little doubt. England had assigned this as the motive for not ratifying a treaty signed by Sir Charles Wyke and based on the existence of that treaty of the United States. Though there were other reasons why England did not ratify the Wyke treaty, this was the one assigned, and, indeed, he must say that the American treaty, if carried out, would, perhaps, furnish the only basis for a new diplomatic arrangement between the three European governments in regard to Mexico.

I said I had seen such a treaty mentioned in the newspapers, but had not received a word concerning it from my government. All I could say about it was exceedingly adventurous, and founded on no kind of knowledge, official or extra-official; but Mr. Calderon would remember the assurances heretofore expressed by me personally, and not contradicted by my government, that the United States were not ambitious to extend their territory upon the south, but, on the contrary, would welcome any arrangement made by the Mexicans themselves, in the free exercise of their national will, which should establish the prosperity, sovereignty, and independence of that nation upon a firm basis as quite as profitable to the United States as to any other foreign power; and Mr. Calderon would, at the same time, call to mind that an offer of money in aid of Mexico was made from the first by the United

States, and announced to the allied powers. If the American minister had now concluded a treaty by which the United States should advance money to Mexico for the purpose of aiding that republic to traverse in safety the difficulties in which she was now engaged, that was no more than carrying out the original policy of the United States in this Mexican business. I could understand it very well thus far, and I could indeed imagine that the American minister at Mexico, in casting about for an adequate security for the proposed loan, should have found himself a good deal at a loss in the present state of Mexican affairs. He might, of his own accord, have determined in favor of a territorial guarantee, if so, it was probable he did it looking exclusively to the financial aspect of the question, and out of his natural anxiety to secure the loan by a guarantee which should not prove afterwards to be fallacious, without, perhaps, considering sufficiently the political bearings of such a stipulation at this moment. Such a stipulation, though intended to have a purely financial effect, I was forced to confess, in view of what Mr. Calderon had said, was unfortunately liable to be misinterpreted in another sense; but he would observe that it was also said that President Lincoln had not thought proper to offer this treaty to the Senate for ratification. Perhaps the President had doubted the expediency of taking a pledge of this description from Mexico at this moment. We were speaking wholly without knowledge, but this circumstance, taken together with the strong language and evident meaning of the last instruction of Mr. Seward to myself, ought to have the effect to reassure the government of her Catholic Majesty upon this point.

Mr. Calderon made some observations not repelling but rather following up the same train of reasoning, and I again repeated, in different form, many of the considerations heretofore urged by me to show that the policy of annexation in Mexico and Cuba had been the policy of the statesmen of the South of the United States, opposed and counteracted by the statesmen of the North, and that the only possible wish of the present administration would be that Mexico should be able to maintain her sovereignty and independence throughout her present difficulties.

Mr. Calderon said that he was disposed to accept this view of the case, and remarked that it was evidently adapted to the actual state of things in the United States, where, undoubtedly, we were exposed to a recognition of the independence of the Confederate States in case a contrary policy should guide our policy in Mexico.

I replied that I did not suppose the Emperor of the French would allow himself to be led into such additional error in America. The time had passed when a European recognition could be of service to the rebels themselves. Probably its immediate effect would be only to precipitate a blow at the root of the rebellion, which the government had not yet thought it necessary for the preservation of the republic to deliver, and had therefore withheld; but, if any serious complication should threaten us from abroad, Mr. Calderon would remember that the institution of slavery, with all the complications depending from it, could be abolished at a stroke; and standing on that platform, the United States would meet the nations of Europe who came to sustain that institution on our soil with little apprehension as to the ultimate result.

Thus terminated the conversation on the subject of Mexico. It will not fail to arrest your attention, and I have to say that Mr. Calderon's expressions in regard to the supposed treaty by which Mexico pledges territory in security for money to the United States are not stronger than was warranted by the tone of public feeling here.

This news has given immense aid to the French party at this court, and tells hard against the rising influence of the United States.

Mr. Calderon's hint that this treaty might be a basis for a new alliance between the three powers will probably be confirmed to you by our ministers at London and Paris.

French diplomacy has been laboring hard for this result, and will not fail to improve this circumstance to the utmost, at least, in Spain, where the rooted apprehension of our extension on the south comes well in aid of their purpose.

I do not think it politic to mention the case of St. Domingo as an instance of Spain's respect for the sovereignty and independence of nations last year, and accepted with pleasure Mr. Calderon's present assurances in this respect, so honorably illustrated by the recent action of General Prim in Mexico.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Perry to Mr. Seward.

No. 69.]

Legation of the United States,
Madrid, July 11, 1862.

Sir: At a recent interview with Mr. Calderon Collantes, that minister inquired if I had received a copy of the treaty recently concluded between the United States and England, concerning the mutual right of search, for the suppression of the African slave trade. He was much surprised that, after combatting that principle so long, the United States should have yielded now a right so exceedingly liable to be abused in practice, and he was very curious to know what provisions had been stipulated to guard the exercise of the right from such abuse.

I replied, regretting I could give no information other than what Mr. Calderon had himself seen in the newspapers. I understood, however, that the stoppage of the use of the American flag in the slave trade was an object which would naturally commend itself to the favor of the present government of the United States, and I inquired if Spain had not herself conceded the same right.

Mr. Calderon said that she had, at a period in her history which could not be recalled with pleasure, but that ever since he himself had held the portfolio of foreign affairs he had been desirous of an opportunity to revise that whole treaty in which the right of search was thus granted to Great Britain. The exercise of this right was vexatious, and, besides, the English were always talking, in Parliament and out, of their having purchased this right of Spain for £40,000 sterling money, always putting their money forward, and he (Mr. Calderon) would be exceedingly glad of an opportunity to give them their £40,000 and have the treaty back again.

Mr. Calderon asked me if I supposed the recent treaty would be ratified by the American Senate. I replied I had no reasonable doubt that it would be, and remarked that I supposed that England was now taking steps to obtain the same concession from the government of France.

Mr. Calderon said he had little doubt of it, but he wished to see the American treaty, as it might afford a basis for demanding a revision of the Spanish treaty as to the manner in which this right was to be exercised.

Though, perhaps, this conversation was not intended by Mr. Calderon to be reported to you, I have thought it interesting; and have the honor to remain, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Perry to Mr. Seward.

[Extracts.]

No. 70.]

LEGATION OF THE UNITED STATES,
Madrid, August 1, 1862.

SIR: You will have learned by the public press that the marquis of the Havana, General D. José de la Concha, late captain general of Cuba, has been appointed embassador of Spain to Paris, and that he left Madrid last evening for his post.

I have not enjoyed a personal interview with General Concha, nor do I pretend to know the tenor of his instructions. I have, however, conversed personally with General Prim, immediately after an interview betwen these two generals, in which I acquired the certain confirmation of my knowledge from other sources that the ideas of General Concha in regard to Spanish policy in America and as to what ought to be the action of Spain in the question of Mexico, are wholly distinct from and opposed to those of General Prim.

General Concha belongs to the party in Spain which believes that the only salvation for Spanish interests in America is in a close alliance with France. He will certainly re-establish that alliance if it can be done, and goes to Paris for that purpose.

The vacillation of the O'Donnell government has been great. It was for many days doubtful whether General Concha would receive this appoinment. The apprehension of danger from France has, however, overcome all reasonable arguments for firmness in the policy indicated by the retirement of the Spanish troops from Mexico, under General Prim.

The triumph of French policy in the Italian question, as shown by the recognition of Italy by the Czar of Russia and the King of Prussia, has had its effect. The Spanish government has begun to entertain some apprehensions from the isolation in which it is left on that question by Europe, and will not long withhold its recognition of Victor Emanuel as King of Italy.

Our own reverses before Richmond, at Charleston, and in the west, have been studiously and atrociously exaggerated in the English and French presses, from which Spanish ideas of foreign affairs are principally gathered. I have labored strenuously to counteract the effect of these representations, by such translations and republications as I could make from our own newspapers. But the news is bad at best; and the governing classes here, always desirous of the separation of the republic, always secretly and avowedly in sympathy with the rebels, by whom they hope such a separation will be rendered possible, have seized with avidity these indications of what they imagine to be the declining power of the north.

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As I have before informed you, the palace at Madrid is possessed with a vague sense of danger, looks with mistrust upon the marriage of the King of Portugal with a princess of Savoy under the patronage of Napoleon III., and at last has, as it seems, determined to flatter this personage, and will accede to his demands in the matter of Mexico.

In aid of this resolution comes also the abandonment by the Emperor of his candidate, Maximilian, for a Mexican throne, and his dissatisfaction with Almonte and the Mexican personages whom his representatives in Mexico seemed disposed to sustain at all hazards.

With these concessions on the part of the Emperor, I feel it my duty to report that the co-operation of the Spanish government in his measures as regards Mexico is, for the present, virtually secured. What form this will take hereafter is yet to be seen.

With sentiments of highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Perry to Mr. Seward.

[Extract.]

No. 73.] Legation of the United States,
Madrid, August 16, 1862.

Sir: I have the honor to enclose two papers referring to the case of the Mary Scaife, rebel brig, which has recently sailed from Barcelona, loaded with a valuable cargo, ostensibly for Vera Cruz, but really, as is supposed, for running the blockade of our southern coast. I formerly informed you that this vessel had succeeded in running the blockade outward from Charleston, and had arrived safely at Barcelona, with a cargo of cotton, which she there discharged.

The correspondence of our able and efficient consul (Mr. J. P. Little) at that port will have kept you informed of what happened at Barcelona, and the manner in which this vessel was transformed into the *Good Luck*, and placed under the British flag. I do not, therefore, burden the mail with documents which will have reached you directly from Barcelona. My reply to Mr. Little of August 12, approving his temperate, business-like, and effective action at Barcelona, will be found marked B.

Our consul at Gibraltar (Mr. Sprague) has been active, under my direction, as our consular agent for Algeciras; and Captain Pickering, with the Kearsage, (steamer,) has been incessantly cruising to the eastward of the straits, for the purpose of intercepting this vessel, but with no result up to my last advices.

Your instruction (No. 37) of the 21st of July, in reference to the projected coal depot at Cadiz, has been immediately put in course of execution; and I shall probably be able to send you the full and minute report desired by the Navy Department by next mail steamer from Liverpool.

Your No. 38, of July 28, has also just reached me; and for the flattering expressions it contains I beg to return my thanks.

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With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. William H. Seward,
Secretary of State.

UNITED STATES CONSULATE,
Barcelona, August 7, 1862.

SIR: I have the honor to enclose to you herewith copies of two communications just received from the captain general, by which you will see that in the question of the Mary Scaife he has acted in accordance with the authorities he cites as having consulted—that is, the captain general has not in any way intervened in the matter, except to declare my protest as not sufficient to authorize him to prevent the departure of the brig, and in stating that the non-compliance on the part of the seller, a citizen of the United States, with the necessary and legal forms of sale, as the indorsement and registering of the same in this consulate, does not in any manner affect the validity of the purchase on the part of the British subject; and, further, that the entry at this port of the said brig under a flag adopted by a portion of the southern States of the United States of America, now in rebellion against the legitimate government of the said United States, and the sale of the brig without having complied with the requisite registering of said sale in this consulate, as required by the laws of the United States, does not and cannot, either directly or indirectly, imply the recognition of the said rebellion. This seems to me impossible, as either the Mary Scaife was admitted subject to the laws of our treaties with Spain, and to the maritime laws of the United States, or she was admitted as independent, and not owing obedience to said laws and treaties. The captain general does not, however, decide this point, as he states only that the legality or illegality of the sale is a question not to be decided by the Spanish laws, but by the existing treaties between Great Britain and the United States. The British consul, however, affirms that the sale and purchase, having been duly made through a notary public of this city, and the purchaser having presented himself before him with a passport and other proof of his nationality, he could not refuse to furnish him a temporary register, by which the vessel is placed under the British flag for the term of six months, or until she can be regularly registered in some British port. You will see, therefore, that the local authorities pretend to show the good faith and legality of the sale by the recognition of the same by the British consul, and the consul asserts that the sale has been duly and legally made through a notary public, and that the vessel has thereby become British property—each party relying upon the other to sanction the course he has pursued. As I now submit to your inspection the final papers in regard to this sale and change of nationality of the brig Mary Scaife, and the vessel having left this port, any further action on my part will probably not be demanded. However, in calling your attention to the latter part of the captain general's more lengthy communication, I beg to inform you that, should the course I have taken in this difficult matter meet with your approbation, I should be exceedingly obliged to you if you would notify me as soon as convenient, as I am anxious to inform the captain general of your approval, in reply to this part of his communication, and also to inform him that questions and events of great importance sometimes arise, even as the present, where a consul is obliged to act in a partially diplomatic manner, both on account of the seriousness of the event or question and for want of time to be able to bring the matter for decision before the legation from which he depends.

I have applied to the custom-house for a list of the cargo outward, and as soon as received shall forward to Washington, with the description of the vessel, as I am sure she will again attempt the blockade.

I am, sir, your most obedient servant,

JOHN ALBRO LITTLE, *Consul.*

HORATIO J. PERRY, Esq.,
Chargé d'Affaires, United States Legation, Madrid.

Mr. Perry to Mr. Little.

LEGATION OF THE UNITED STATES,
Madrid, August 12, 1862.

SIR: Your communications to No. 16, inclusive, of August 7 have been received, with their enclosures, and inform me of your own proceedings in the case of the brig Mary Scaife, as well as those of the Spanish authorities, British consul, and other parties at your port. These papers are very interesting, and I take pleasure in acknowledging the very efficient, temperate, and business-like way in which you seem to have managed this whole affair.

It is the province of the captain general to see that you do not take upon yourself the discharge of diplomatic or political duties, especially as he himself would lack authority from his own government to correspond on such subjects; but it is quite within your province, and is, indeed, a prominent part of your consular duty, to watch over the proper execution of all treaties, ordinances, and customs, which affect the condition of ships and mariners from the United States at the port of Barcelona; and, in the case of anything extraordinary occurring, to make the facts known to the local authorities, with such observations as you may think necessary, in order to convey a proper idea of the case, so that their action, if any be taken, should be adequate, and based on a full knowledge of the case.

I have failed to see that you have transcended your duty in any respect in the course of this affair.

I have been in frequent correspondence with our consuls at Gibraltar, Malaga, and Cadiz, on the subject of the vessel referred to, and trust she may be intercepted in the straits, or taken on our coast, where her description would have preceded her.

Respectfully, &c., your obedient servant,

HORATIO J. PERRY.

JOHN ALBRO LITTLE, Esq.,
United States Consul, Barcelona.

Mr. Perry to Mr. Seward.

No. 76.]

LEGATION OF THE UNITED STATES,
San Ildefonso, Spain, August 26, 1862.

SIR: Your instructions, Nos. 39 and 40, reached me together at this royal seat, and yesterday I had an opportunity of putting the copy of a treaty with Great Britain, enclosed with your No. 40, into the hands of the Duke of Tetuan; also communicating to him verbally the substance of that despatch.

The minister entered into conversation on the subject of slavery and the slave trade in the island of Cuba; but as the ideas expressed were not new or essentially different from those which Spanish official personages have been accustomed to manifest for a long time past, I may be excused reproducing them here.

I found occasion, however, during this interview to turn the conversation in a natural way upon the subject of your despatch No. 39, and in a purely confidential and unofficial way—the character of the interview now permitting a sort of frank and uncalculating revelation of what was intended for my private use and instruction alone—read to the Duke of Tetuan, in Spanish, your instruction dated July 31. The effect was evidently and decidedly an agreeable one; and, though the duke could hardly be expected to enlarge much upon the subject of his own permanence in power, you will hardly need my assurance that the interests of the United States lost nothing by the interview referred to.

The subject of Mr. Corwin's treaty with Mexico opened the way for me again to show that the United States were not ambitious of territorial aggrandizement on the south of our present frontiers. I was glad of this opportunity to speak with the real head of this government on this question; and though the arguments, facts, and statements, which I advanced were, perhaps, substantially the same I have heretofore used to Mr. Calderon Collantes, and reported to you, I was not left in doubt as to their effect upon Marshal O'Donnell. Perhaps the connexion between filibustering and secession was more clearly and forcibly brought out than I have been able to do it heretofore.

The duke did me the honor to listen with great interest as I traced the history of the aggressive and unscrupulous policy pursued by Mr. Jefferson Davis and other southern leaders, both in the exterior and in the interior, from the time of the mission of Mr. Pierre Soulé, in Spain, to the actual rebellion and war against the constitutional government of the United States.

He was shown, also, in what way the statesmen of the north, now at the head of our affairs, had opposed and counteracted these dangerous designs, sustained always by the great conservative masses of the American people. And when the Spanish minister had seen always the same men, the same motives, and the same manner of proceeding, producing the effects of the annexation of Texas, the war with Mexico, the conspiracy for war with Spain for the conquest of Cuba, the invasion of Central America, the bloody terrorism of Kansas, and, lastly, the traitorous war of these ambitious men against the conservative power of the American Union which checked and thwarted their designs, he was well prepared for the conclusion that the north is now actually fighting in America the battles of Spain and of all other foreign states having territory contiguous to our southern frontiers.

The arrival of the chargé d'affaires of Russia, by appointment, closed this interview, but not till the duke had begged me to come to him again to speak on this same subject, which interested him deeply.

I regret, however, that other affairs will cause my return to the legation in Madrid to-night, whence I shall address you, perhaps, to-morrow.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Perry to Mr. Seward.

[Extracts.]

No. 81.]

Legation of the United States,
Madrid, September 21, 1862.

Sir: It is incumbent on me to report to you the changing phases of opinion in Spain as to the war in which the United States are engaged.

You know from my former despatches that the sympathies of this government from the beginning were with the faction which seemed to offer some hope of dividing the republic and diminishing our power in the western hemisphere.

Mr. Preston, of Kentucky, had, in the latter part of his term of office here, labored to aid the conspirators, and not without success. He had the good sense, having also the means, to spend annually at this court something more than double the salary assigned to his post. The society of the court, the aristocratical and governing classes, were found by me in June, 1861, deeply imbued with the ideas which he had labored to cherish, and the notion of an aristocratical and chivalrous society in the south of the United States, armed to resist the aggressions of an underbred, *sans culotte* democracy at the north, was the prevalent idea of these classes concerning us. They were still full of the resentments and apprehensions produced by our filibustering exploits of former years, which were for them connected only with the name of the United States. The Confederate States was a new name, as yet unsullied, and the rebels who had taken up arms against the government of the United States could not but be the friends of Spain.

My first care, as you are aware, was to undo all this by showing that the filibustering and aggressive policy which had marked our policy towards Spain for some years before was the work of the same men and the same parties who had now gone into rebellion against the government of the United States; that their designs upon Cuba and other territories contiguous to our southern limits had failed of execution only on account of the resistance of the conservative masses of our people of the northern States. That the extension and perpetuation of their own political power, the mastery of the policy and destinies of the entire Union, was the motive for the annexation policy of our southern statesmen; failing to secure which they had resolved to divide the republic, thus assuming to themselves the direction of the foreign as well as the interior policy of the southern part. I showed the government of Spain, by the speeches pronounced in South Carolina, Georgia, and Louisiana at the breaking out of the rebellion, that its leaders already, leaping beyond the eventualities of the war against the federal government, were holding up to the population of the south the plan of immediately annexing Cuba, San Domingo, and Mexico, as one of the grand results to be obtained by severing their connexion with the north, and I urged the conclusion that the continued union of the south with the north of the United States was the best guarantee to Spain of her own peace in North America. You are aware that the conduct of this government soon became to be more friendly towards us than that of either England or France.

Aside from the now governing classes, the people of Spain are liberal or democratic in their political sentiments and aspirations. The United States were for them the model and example of all that is desirable in government. Their natural sympathies for us had been rudely jostled by our filibusters, but the grandeur of our national prosperity and the spectacle of our increasing power was not an eyesore to them, but, on the contrary, a triumphant argument in favor of the political ideas we represented and they loved. They were a good deal troubled, however, upon one point. The Spanish liberals said to me always: but if the people of the south wish to separate and establish a distinct government, what right have you, according to the principles of popular sovereignty, to impede that movement? The answer was that the rebellion at the south was the work of comparatively a few men for their own ambitious purposes, but not heartily desired and supported by the people of the south, whose majority was, on the contrary, loyal to the Union and the Constitution. The statistics of the slave-owning and non-slave-owning classes, and the popular votes of such States, where popular votes had been permitted, were appealed to in support of this view, and the armies of the government were truly represented as marching to liberate the people of the south from the oppression which a rebellious faction exercised over them.

But it is necessary to confess that the incidents of the war have much debilitated this argument. It is true at bottom, but it no longer serves. In the opinion of the masses of Europe, who judge from the great visible facts of our contest, the south is to-day a brave and united people, fighting for their independence against a government whose yoke they repel. They are fighting successfully against great odds, and neutralizing by their valor and conduct such merely material power as has seldom been displayed before by any government for the coercion of any people. And it is generally recognized that the people of the south, by the extent of territory they defend, by the number and bravery of their armies, by the skill of their generals, by their attitude of apparently unalterable determination, by the peaceful submission of their slave population, and the apparent unanimity of their will to live apart, have demonstrated that they do possess the conditions necessary to constitute a solid, separate, and independent nation.

There is, therefore, but one sentiment, one argument left for us who represent the Union before the peoples of Europe; this is the sentiment of popular abhorrence for African slavery; the argument that the south is fighting to maintain and perpetuate that institution, whilst the north, avowedly or covertly, is fighting against it. I cannot speak for any except myself, but I am persuaded, no matter what our individual ideas of interior policy may have been heretofore, all who faithfully strive to serve the United States of America abroad at this juncture, are obliged to use this argument, do use it to the extent of our respective power and ability. At home I was a conservative. I write now from slave-holding and slave-trading Spain. Nevertheless it is my duty to inform you that this is the only ground we stand on in this country; the only point which has told for us here for some time past. I have urged it and caused it to be urged in every form and place which the social customs of the country open to my influence. I have written it and spoken it in season and out of season. Those popular and liberal journals whose editors honor me by seeking my ideas and statements on the subject of our affairs have not ceased to reproduce it.

I sincerely trust that in taking this course I have not misinterpreted your instructions or wishes in this respect.

Your recent and most important instruction (No. 44) of August 18 has reached me, and its unanswerable reasoning would have been, ere this, urged by me upon the attention of this government were it not for the absence of the court and ministers in Andalusia. If Mr. Koerner's movements should permit I shall join the court this week.

As to the effect here of recent events, I could send you excerpts from the Spanish press of all colors, but you will not need to burden your attention with these writings. I enclose, only as a sample of the ideas which prevail in the circles of the government, the article of the Epoca (ministerial journal) of to-day.

* * * * * * * * *

I cannot deceive you; outside our own limits the remoter benefits or evils to come to men from the maintenance or loss of our territorial integrity are not seen or are little heeded. Men care very little about our Union, and between the Constitution of the United States and the paper made at Montgomery the people of the world see little to choose; both occupy and cover the ground gained by our fathers eighty years since, and which then gave them the sympathies of the world.

Reducing our question of to-day to the simple terms of a government on one side, and a numerous, brave, and compact people, determined to be independent of that government on the other, popular ideas of democratic sovereignty are against us, and the masses of this continent will see the republic of Washington divided without a protest, almost without regret. It cannot be concealed that already, in this country, the hope that slave emancipation will be proclaimed by the government of the United States, as that hope rises or falls, gives the measure of popular favor to our cause. Without that hope I am persuaded by recent indications, which I can neither neglect nor fail to report to you, that this government could adopt the policy of recognition of the so-called Confederate States without any considerable opposition in the interior of Spain. With that measure proclaimed by the United States, I, on the other hand, am clear that this government could not venture on the step alluded to, or, if it did, that error would soon be followed by such events in the interior of Spain herself as would promptly take away all its significance for us, and result, perhaps, in giving to the United States a better position relative to Spain than we have held since the first days of our national independence. You have recently received information relative to Spanish political affairs which will enable you to estimate, in some degree, the value and reliability of this conclusion.

The President will, of course, be guided in the conduct of our affairs at this crisis by superior considerations of interior policy, of which I am not cognizant. It is my duty simply to report what passes here of interest to our country, and having done this, to leave to the President and to God the issue.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, December 10, 1861.

SIR: The Spanish steamboat Nuestra Senora de Regla, Reynals, master, was, on the first day of December instant, lying in the harbor of Port Royal, Brigadier General Sherman, who was in command of the United States military forces there on that day, received what he deemed sufficiently authentic evidence that the aforenamed steamer had on board papers and despatches of the insurgents who are in arms in that part of the country against the United States, with a view to convey them to ulterior destinations. He thereupon ordered that the vessel should be searched. This service was performed by the provost marshal. That officer found on board of the vessel a large number of letters, treasonable in their nature, written by insurgents to their confederates in other parts of the United States and in foreign countries. He also found on board letters written by such insurgents to colluding parties in foreign countries with designs for breaking the blockade which has been established at the port of Charleston.

He found also despatches by the pretended insurrectionary or revolutionary authorities in Richmond to agents designated by themselves in Europe, giving directions for the purchase of arms, military stores, and munitions of war on that continent, to be conveyed to this country and delivered into the hands of the insurgents, to be used by them in their efforts to subvert the government of the United States.

The circumstances of the case show that one Emilio Puig, a resident of Charleston, but claiming to be a Spanish subject, who was found on board the vessel, was a guilty agent of the insurgents in conveying this treasonable correspondence and these treasonable despatches to Havana with a view to their various destinations. At present I do not dwell on the question whether the Spanish consul at Charleston had knowledge of the objectionable conduct of the said Puig, and of the treasonable correspondence and despatches.

With the correspondence and despatches I have described, there was also found a closed cloth bag bearing the official seal of the consul of her Catholic Majesty at Charleston, with the following label:

"*Correspondence official.*

"Exemo Sôr Gobernador y Cap'n Gral de la Isla de Cuba, Habana del Consulada de Espano en Charleston."

General Sherman writes concerning it as follows: "The bag from the consul at Charleston to the captain general of Cuba was ripped open by the provost marshal without my authority, and probably through ignorance. Its contents have not been disturbed."

Without stopping to consider whether the circumstances of the case would have justified an examination of the so-called consular bag, I have obeyed the promptings of that confidence which I always cheerfully entertain towards yourself, his excellency the captain general of Cuba, and all the Spanish authorities, and have left the bag and its contents in the exact condition in which they came to my hands, being practically the same in which they were found on board the steamer.

This bag I have the honor to place in your hands, with the view that it may be sent forward to its destination, not for a moment doubting that if, instead of its being what the label describes it to be, namely, a genuine correspondence between the consul at Charleston and the governor general of Cuba; and if, on the other hand, the contents of the bag are of an unlawful nature, that then such contents will be made known to this government.

I regret to say that the facts disclosed render it the duty of the government to subject the vessel in question to judicial proceedings for having violated the laws of the United States and the law of nations, and further to detain the aforesaid Emilio Puig for an investigation into the transaction, as well as to ascertain his true character and conduct in regard to the unlawful proceedings with which he has been connected.

I avail myself of this occasion to offer to you renewed assurances of my very high consideration.

WILLIAM H. SEWARD.

Señor Don Gabriel Garcia y Tassara,
&c., &c., &c.

Mr. Tassara to Mr. Seward.

[Translation]

Legation of Spain at Washington,
Washington, May 28, 1862.

The undersigned, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, has the honor to address the honorable Secretary of State to bring to his knowledge an affair worthy of especial attention. According to official communications from the authorities of Cuba, the cruisers of the United States not only frequently come close to those shores, but also chase vessels within the territorial waters of the island.

Three vessels of your navy have lately been pursuing within two miles of the strand a steamer of the seceding southern States, the California, whose captain, on arrival in port, made protest before the competent authority. In view of this, and of other acts, the governor captain general of the island directed the departure of a ship-of-war for the purpose of watching over the coasts. This vessel, the frigate Petronila, in effect, found cruising at some miles off various vessels under the American flag, whose presence was the more extraordinary inasmuch as, by reason of the distance, they could not belong to the blockading squadron of the southern ports. Upon nearing at last the corvette Marion, the two commanders exchanged the two communications, copies whereof are annexed, (1 and 2,) that from the Petronila being addressed to the commander of the federal forces, asking, in the name of the principles of international law, and of the friendly relations existing between both governments, that he should withdraw the cruiser from within the maritime zone enclosing the coasts of Cuba; and that of the Marion limited to saying, after having exchanged signals with the steamer Cuyler, that the commander of the federal forces referred to had returned to Key West, and that the first communication would be sent to him.

All this occasions the more surprise to the undersigned, as the spirit is so much better in which, accordantly with the orders of the government of her Catholic Majesty, the authorities of the island of Cuba fulfil their duties towards the government of the United States.

He believes, nevertheless, as do also those authorities, that the cruisers aforesaid, far from obeying instructions from superiors, are acting in contravention of those they have, by holding in a species of blockade the ports of a neutral power which is, at the same time, the friend of the United States, and he hopes that orders will be immediately given to stop such a state of things. He also hopes, not only in virtue of principles universally recognized by all the maritime powers, but also in regard of the friendly and loyal relations, as it is known to the honorable Secretary of State, the Spanish government maintains with that of the United States, that all these reasons should meet with proper reciprocity.

The undersigned avails himself of this fresh occasion to offer to the honorable Secretary of State the assurance of his highest consideration.

GABRIEL G. TASSARA.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States.

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, June 2, 1862.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of the note of Mr. Tassara, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, of the 28th ultimo, accompanied by a copy of correspondence between Lieutenant Winslow, commanding the United States steamer R. R. Cuyler, and Captain Vinalet, commanding her Catholic Majesty's frigate Pinola.

Mr. Tassara represents that the United States cruisers frequently approach close to the shores of Cuba, and chase vessels within the jurisdiction of that island.

Such proceedings, Mr. Tassara may be assured, have not been authorized by and cannot be approved by this government, which highly appreciates the friendship of Spain. There is, however, one passage in Mr. Tassara's note which seems to require special attention. It states that the Petronila found various United States vessels cruising at such a distance from the coast that they could not belong to the fleet employed in blockading the ports of the insurgent States. If, in point of fact, the United States cruisers were in the position referred to, they may not have belonged to the blockading fleet, but may have been employed in asserting other just belligerent rights of this government, without trenching upon the sovereignty or disregarding the neutrality of Spain. A copy of Mr. Tassara's note has been sent to the Secretary of the Navy, with a request that such instructions may be given to the United States naval commanders in that quarter as will for the future prevent any just cause of complaint on the part of her Catholic Majesty's authorities.

The undersigned avails himself of this occasion to offer to Mr. Tassara a renewed assurance of his very high consideration.

WILLIAM H. SEWARD.

Señor DON GABRIEL GARCIA Y TASSARA, *&c., &c., &c.*

Mr. Tassara to Mr. Seward.

[Translation.]

SPANISH LEGATION, *Washington, June* 28, 1862.

The undersigned, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, has the honor to call the attention of the honorable Secretary of State to occurrences intimately connected together, in which very lately the Spanish consul at New Orleans has interposed. In consequence of the proclamation of the President of the United States, declaring the port of New Orleans to be open, the Spanish steamer Cardenas left the Havana for that place on the 31st May last with freight and passengers, arriving at her destination on the 4th instant, without her passage being hindered either at Fort Jackson or at the Lazaretto, and, on the other hand, without having had from the consul of the United States at the Havana any notification whatever about quarantine.

But after a short time she received an order to go back to Fort Jackson, which she did, but not till after landing her passengers, about which no difficulty was made. In this situation the Spanish consul sent on the 10th to General Butler a communication remonstrating against the order, founding it on the old sanitary legislation of the State of Louisiana, according to which quarantine was not imposed on vessels coming from Cuba, unless the usual proclamation had been first made declaring what ports were considered as infected, and vessels which had been cleared without notice of the proclamation were admitted to free pratique.

The consul added that in this case, besides the circumstances of the vessel having commenced her voyage at a period earlier than that expressed by the said regulation for the application of the provisions it contains, it might be alleged the favorable opinion of the board of health. Such opinion being that the Cardenas had arrived in the best condition, and that there was no reason for sending her back, (unless something new had turned out on board,) as is shown by the circumstance that she had been allowed to land her passengers. Mr. Culliyon notices another peculiarity, to wit: that the captain was not notified how long he should remain in quarantine. On this account, calling the attention of General Butler to the losses which were accruing by such unexpected detention, since besides the risk of spoiling the cargo, which consisted of fresh fruits, there was a scarcity of provisions, they having been provided only for the time reckoned upon for the passage, and there being no means of renewal where they were at the time.

Not having received any reply, the consul on the 12th sent another despatch, of which a copy is annexed, transcribing literally that of the 10th, and placing afresh in prominence the considerations which meditated in favor of the Cardenas.

He concluded by stating that on that date expired the term of ten days, which in the greatest strictness it had been usual to impose on vessels coming from Cuba, and that for this and other reasons which had been stated it was hoped orders would be given for the admission of the steamer.

The measure taken with the Cardenas appears the more arbitrary as it makes a contrast with the course pursued with the North American steamer Roanoke. That vessel, after touching also at Havana, had been also admitted at the port of New Orleans, without, like the Cardenas, being obliged to return to the Fort Jackson to perform quarantine. This consideration, without doubt, is only secondary in presence of the graver incident to which the clearing of the Roanoke for the Havana gave place between General Butler and the Spanish consul.

Differing from the case of the Cardenas, *from* the Havana, the Roanoke sailed from New Orleans *after* the 1st of June, a date at which, according to all instructions and practice of the Spanish consulate at that port, the state of public health is noted on the papers, and on clearing her it was the consul's duty to note that he would not give her a clean bill of health. The consignee replied that he would not take the paper which was given to him if it did fix the number of days of quarantine which should be imposed on her at Havana, to which the consul rejoined that those which were to be imposed on the Cardenas not having yet been fixed, and there having always been observed strict reciprocity between New Orleans and the ports of Cuba, it was not possible for him to do it; that probably the same number of days would be imposed on the Roanoke as would be imposed on the Cardenas. The consignee went to see General Butler, and the consul being called by that authority, he required of him that he should issue to the Roanoke a clean bill. The consul refused to do so; a conversation ensuing, in which, according to an official communication before him, the undersigned finds himself under the necessity of calling the attention of the honorable Secretary of State to the following points:

First. An order of General Butler to the consul of Spain conceived in these terms: "The consul of Spain will issue to the steamer Roanoke a clearance like that which at this season of the year would be given to any vessel whose (doculeon) complement of crew might raise a question (disputava) of good health."

Second. The threat of the same General Butler to the same consul of Spain to ship him off on the Cardenas and send him to the Havana.

Third. The intimation made by the same General Butler to the same consul of Spain to tell the captain general of Cuba that he would give him much pleasure by not sending any more Spanish vessels to New Orleans.

As respects the order itself, the Secretary of State knows that General Butler has no power to give orders to a foreign consul in matter of such exclusively consular attribution as the clearing of a vessel for a port of his nation, and that the consul could only regard it as not received. In regard to the terms in which it is conceived, it could be deduced from them that the (docation) crew list of the Roanoke at the time raised no question of health, which would add more weight to the requisition of General Butler. Fortunately, from the communications of the consul, it seems to follow that it was not so.

For every reason, even if the crew of the vessel was enjoying full health, the consul was under obligations to note upon the clearance the state of public health at New Orleans, without, in so doing, doing anything else than to issue to the Roanoke a *clearance like that he would give at this season of the year to any vessel which might leave New Orleans after the 1st of June.*

It was General Butler who pretended that, under his command, this year a new thing should be done. As for the threat of sending the consul of Spain to the Havana because he refused to issue the clearance which was required of him, that is to say, for complying with the sanitary regulations of Cuba, General Butler might have been able, without doubt, to carry it into effect by a great abuse of power, and the consul himself might have believed himself compelled to leave his port under the force of such unsuitable and unreasonable language.

The undersigned, nevertheless, always desirous to maintain perfect harmony with the government of the United States, approves the conduct of Mr. Calligan, it being, as is true, that, legally and internationally speaking, his continuance in New Orleans depends on higher authority than that of the military authority of that department. Respecting, finally, the other expressions which were to be transmitted to the captain general of Cuba, General Butler is doubtless ignorant that the governors of the provinces of Spain have no power to hinder the despatch of Spanish or foreign vessels in accordance with the laws, and seems even to be ignorant that the commanders of the military departments of the United States have not either the authority to hinder the vessels referred to and lawfully despatched from being received in the ports of his country open to commerce, as is that of New Orleans. Lastly, at the interview cited, Mr. Calligan asked that some reason should be given for the quarantine of the steamer Cardenas, and that General Butler postponed reply, the matter remaining in the same condition as before.

Under these considerations the undersigned doubts not the Hon. Secretary of State will disapprove of the conduct of the commanding general at New Orleans, entertaining the right to expect that in relation to the steamer Cardenas, if perchance not already done, she be released from a quarantine which, in any case, would already be too long, and having, besides damages which the illegal act done to her may have occasioned, and fixing the rules to which vessels coming to New Orleans must be liable, with due reciprocity in the island of Cuba, and least prejudice to commerce.

In what relates to the Roanoke, and the conversation with the consul of Spain, that that authority be made to understand that he must respect the sanitary regulations of the island of Cuba, that he treat with more consideration the consuls of friendly nations, and refrain from expressions which are not suited either to give security to trade, or to maintain friendly relations between the authorities of that island and those of the United States.

The undersigned avails of this occasion to renew to the Hon. Secretary of State the assurances of his highest consideration.

GABRIEL G. TASSARA.

Hon. WILLIAM H. SEWARD.
Secretary of State of the United States.

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, July 16, 1862.

The undersigned, Secretary of State of the United States, duly received the note of Mr. Tassara, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, of the 28th ultimo, making representations in regard to the course of Major General Butler, at New Orleans, with reference to the Spanish steamer Cardenas and the United States steamer Roanoke, which had arrived there from Havana since the former port had been partially opened to trade by the President's proclamation of the 12th of May, 1862.

The absence of the undersigned from the seat of government for some time after Mr. Tassara's note reached the department has occasioned the delay in replying to that communication.

The complaint against General Butler in the case of the Cardenas is, in substance, that he caused that vessel to be ordered into quarantine after she had been allowed to land her passengers at New Orleans—a proceeding alleged to be premature according to the sanitary regulations in force under the laws of the State of Louisiana.

In the case of the Roanoke, Mr. Tassara represents that upon the refusal of Mr. Callegan to sign the bill of health of that vessel, which was to touch at Havana on her way from New Orleans, General Butler made use of threatening language to the consul, and with reference to the captain general of Cuba.

This important complaint, as well as the allegation in the case of the Cardenas, will be a proper subject of investigation by the special agent of this government who is now at New Orleans. A copy of Mr. Tassara's communication will consequently be sent to him with instructions to proceed accordingly.

The undersigned avails himself of this occasion to offer to Mr. Tassara a renewed assurance of his very high consideration.

WILLIAM H. SEWARD.

Señor DON GABRIEL GARCIA Y TASSARA, *&c., &c., &c.*

Mr. Tassara to Mr. Seward.

[Translation.]

SPANISH LEGATION, *Washington July* 23, 1862.

The undersigned, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, had the honor to receive in due season the note of the honorable Secretary of State upon the conduct of the cruisers of his navy on the coasts of Cuba, together with the correspondence transmitted by the honorable Secretary of the Navy.

Still more recently he has received from the governor captain general of that island another communication on the subject, with another copy of the reply of the commander of the American squadron of the Gulf to the commander of the Spanish frigate Petronila.

The undersigned does not doubt the intention manifested by the honorable Secretary of the Navy, as well as by said commander of the Gulf squadron, to respect the maritime jurisdiction of the island of Cuba. He must, nevertheless, insist that this has not always been verified, but hopes, in every view, that the orders issued will be strictly complied with, so as to avoid questions, and even conflicts, the responsibility whereof can in no case fall upon the authorities of the island of Cuba. Another important point presents itself, and that is, the limit of maritime jurisdiction, which the commandant of the Gulf squadron indicates as at three miles from shore.

Without receiving this either as a principle or as an established fact, and remitting the decision of the point to his government, the undersigned will remark that, whatever may be the limit of a jurisdiction, all the rules of the law of nations have always been opposed to the exercise upon the very boundary of a foreign territory of such watching as is equivalent to a species of blockade, by frightening away, or at least prejudicing, the commerce of a friendly nation. Such, without doubt, appears to be the case upon the coasts of Cuba, and the honorable Secretary of State will please to keep this in mind in the instructions which may be given to those cruisers.

The undersigned will not finish without assuring the honorable Secretary of State that the wishes of the government of her Catholic Majesty, of the authorities of Cuba, and his personally, are, as always, to maintain, with loyalty, friendly relations with the government of the United States, and for this reason he sees with greater regret the repetition of incidents which may prejudice that result. The undersigned avails himself of this occasion to repeat to the honorable Secretary of State the assurance of his highest consideration.

GABRIEL G. TASSARA.

Hon. William H. Seward,
Secretary of State of the United States.

Mr. Tassara to Mr. Seward.

[Translation.]

Spanish Legation,
Washington, August 7, 1862.

For the better clearing up of what occurred to the steamer Cardenas, as referred to in your communication at large of the 28th of last month, the undersigned envoy extraordinary and minister plenipotentiary of her Catholic Majesty has the honor to enclose a copy of the protest made before the Spanish consul at New Orleans by Captain Burguero.

From the said document it follows, among other things, that the steamer being compelled to return to Fort Jackson, as was done on the 5th of June, did not receive a visit from the physician until the 18th, and only on the 24th was she permitted to enter the port—that is to say, twenty-five days after her departure from the Havana. In this interval the brigantine Marie Felicite, which arrived, leaving the same port on the 13th of June, obtained permit to ascend the river on the 21st. On the 13th the English schooner Virginia Antoinette, also from Havana, whence she sailed on the same day as the Cardenas, anchored in sight of Fort Jackson, and on the 18th obtained the like permit as the French brig Marie Felicite; and lastly, the mail steamer Roanoke arrived on the 10th and went up to the port without detention.

The undersigned avails himself of this occasion to reiterate to the honorable Secretary of State the assurance of his highest consideration.

GABRIEL G. TASSARA.

Hon. William H. Seward,
Secretary of State of the United States.

[Translation.]

At the city of New Orleans, on the twenty-fifth day of June, in the year one thousand eight hundred and sixty-two, before me, D. Juan Callejon, consul of her Catholic Majesty at this place and its dependencies, appeared D. José Ramon Burguero, of the matriculation of Coruña, captain of the Spanish steamer Cardenas, the latter of Havana, accompanied by two witnesses that declaration should be made, and deposed that on the thirty-first day of May, of one thousand eight hundred and sixty-two, he departed from Havana with his vessel on the course for this port, and with the regular clearance from the Spanish authorities and from the consul of the United States at the Havana, pursuing his voyage with fair weather until the third of June, on which, at five o'clock in the afternoon, he came in sight of the light-house at the Pass à l'Outre of the Mississippi river, and proceeded up the stream. At half-past eight of the same evening he came to the outpost of the custom-house, where, in normal times, note was taken of the place whence sailed, of the cargoes of vessels, and from whence advices were sent by telegraph to the consignees thereof. There he stopped the engine, blew the steam whistle, and seeing that no one was coming near him, followed up the river to Forts Jackson and St. Philips, where also he slowed and stopped the engine, blowing the steam whistle as before. No one gave any hindrance to his passing, and the steamer followed her course to the Lazaretto, where he repeated the same doings as he had done at the customs station and at the forts. No one replied but an officer called Dikman, of the United States army, and who probably belonged to that detached post; asked of the captain the favor to take him up to the city, favor which the captain allowed, and at five o'clock on the afternoon of the fourth arrived here at this place and made fast to one of the wharves. Before getting through with this work, the vessel was invaded by a crowd of people from the city; even at six o'clock there had not come on board any authority to receive her; then the captain notified the consignees of the Cardenas, Messrs. Avendaño Hormanos, and agreed with them to present himself on the following day, as it was no longer within business hours at the custom-house or at this her Majesty's consulate. But at eight o'clock at night an officer came on board, accompanied by the aforementioned Captain Dikman, and after having made the townspeople who had come on board go ashore, he asked the captain in a rough way if he had a permit from the commander at the forts to pass up. The captain answered in the negative, relating to him at the same time the circumstances already narrated; then the officer, whose name is Staffers, wrote an order, by which he directed that the Cardenas must go down and anchor below the two forts until otherwise ordered, which order is not given here, because destroyed a few moments after being made by the same person who wrote it, who gave it to the captain verbally, ordering the debarkation of the passengers, firing up, and going away immediately. This was not possible, and by force of entreaty the captain got permission for the supercargo of the Cardenas—which individual spoke English—to accompany him to one of the officers to present him to General Butler, commanding general of the department, and state to him that, never having been at this port, the captain was ignorant of the usages here established; that he had stopped upon entering the river, on passing by the forts, and on reaching the Lazaretto, and that no one hindered him from passing on nor made any signal to him; that if at either of those points he had received orders to stop he would have respected and obeyed them; that, unusual to the practice, having boilers in bad condition, and both empty, he could not depart immediately; that it was not just that the interests of the charterers of the vessel should suffer from the neglect of the commander at the forts; that, as for the passengers following the old custom, they had landed without the captain's knowledge, and that he could not seek through a city unknown to him some thirty-five persons, but that it was to be expected that they would come to get their passports and baggage. He delivered to the supercargo the register, the manifests, and a bag of letters sealed up by the American consul at Habana, the captain giving him special instruction that if the general insisted on his going off, he should state to him that he had no provisions or pilot; that he required six hours at least to fill the boilers and get up steam, and that he would hold the general responsible for any damage that his order might occasion.

The supercargo went off with the officer, and at ten at night came back, accompanied by him, and bringing back the letter-bag and papers which he took, and complaining that he had not been able to make his statements because General Butler refused to listen to them, with strong threats, forbidding him to utter a word. It being then necessary to go, in compliance with the order the supercargo had received from the mouth of the general in person, and desirous to shelter himself from responsibility, the declarant had an interview with his consignees, who accompanied him in search of the undersigned consul of her Catholic Majesty, whom they could not find owing to the unseasonableness of the hour. At two in the morning appeared the pilot, who had been ordered to be got through the aid of one of the passengers, and the Cardenas left immediately thereafter. On the fifth day, at seven o'clock in the morning, she anchored at two miles to the east of Fort Jackson, and the captain sent the supercargo to the fort to ask the commander if he gave him permission to go up; to which he answered that he had the general's order not to permit the Cardenas to go up, nor communicate with any one until fresh orders; and, from some remarks of the commander, the captain arrived at the conclusion that he had been sent there to perform quarantine. To his great surprise, because neither in the conversation held with the officers, nor in that had with the general, was anything said about sanitary regulations. There the Cardenas remained waiting, shut off from communication, for the visit of the health officer, without provisions, and in a difficult position for obtaining them. The said health officer did not come until the eighteenth day, and found there were no sick on board, but could not fix for the captain declarant the term of quarantine, nor did he receive any communication from the authorities which would fix it.

On the twelfth of June the brigantine Marie Felicité arrived from the Havana, and on the twenty-first obtained leave to go up the river. On the thirteenth day arrived the schooner Virginia Antoniette, Captain Stria, and on the eighteenth obtained the same leave as the French schooner Marie Felicité. The English schooner Virginia Antoinette had left the Havana on the same day with the Cardenas. On the tenth arrived the United States mail steamer Roanoke, also from the Havana, and went up immediately to the port without performing the slightest quarantine. On the eighteenth, and by special favor, the Cardenas was permitted to pass the forts and to anchor in front of the Lazaretto. On the twenty-third the captain obtained permission to come to the city, but not the vessel; she did not receive any until the twenty-fourth, on which she came up to the port of New Orleans on the twenty-fifth after her departure from Havana. What was written was read to the captain declarant, and after confirming the same, and made oath that he had told the truth in every particular, he added that, considering the procedure of the military authorities of New Orleans in regard to the Spanish steamer Cardenas, under his command, to be unjust; considering that the vessel had a crew, every one in the best condition of health, and that she was sent to quarantine for an indefinite time, and without receiving a visit from the health officer until thirteen days after her arrival; considering that this causeless detention has produced great losses to the owners and fitters-out of said Spanish steamer Cardenas, among others that of the cargo of fresh fruit, of which she brought a large quantity, and which it was made necessary to throw overboard because it was in a state of putrefaction; considering that said authorities have acted with notorious injustice in detaining the steamer Cardenas, while they permitted the coming up to the port of vessels proceeding from the same place with the said steamer, even imposing on the last a shorter quarantine than on the Spanish, or not subjecting them to any, as happened with the American steam mail packet Roanoke, by these presents, once, twice, thrice, and in the most public, formal, and solemn manner, he protests against, &c.

(Certified.)

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, August 9, 1862.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of Mr. Tassara's note, of the 23d ultimo, in continuation of previous notes on the subject of the conduct of United States cruisers on the coast of Cuba, and, in reply, to inform him that a copy of it has been communicated to the Secretary of the Navy, whose instructions in the premises to United States naval commanders in the Gulf, Mr. Tassara may rest assured, will be as liberal as the public safety may permit, and always consistent with public law.

The undersigned offers to Mr. Tassara renewed assurances of his high consideration.

WILLIAM H. SEWARD.

Sénor DON GABRIEL GARCIA Y TASSARA, *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, September 9, 1862.

SIR: The note which your excellency addressed to me on the 26th of August last, during my absence from this city, has only just now been received. It prefers a complaint by your government, made in behalf of the Spanish house of Avendaño Brothers, at New Orleans, for severities and exactions alleged to have been committed there by Major General Butler while in the military command of that city. More especially it alleges that, without sufficient cause or grounds, General Butler exacted of the aforesaid house, under threats of violence, a bill of exchange for £1,900, equal to nine thousand six hundred dollars. This complaint is a very grave one. The President, of course, is not prepared to believe that it is justly made; you may, however, without hesitation, assure your government that an investigation of it will be made with the least possible delay, and that ample redress will be promptly given if Major General Butler shall fail to justify his proceedings in the transaction.

This government is, above all things, desirous to direct its proceedings in suppressing the present insurrection in such a manner as to do no wrong to individuals, and especially to the subjects of friendly nations.

The present seems to be a proper occasion for me to inform you that Brigadier General Shepley, who some time ago was appointed military governor of Louisiana, has now assumed that office, and is charged with the conduct of civil affairs in that State.

It may sometimes happen that differences of opinion may arise between this government and that of Spain upon the merits of complaints made by the subjects of Spain against the American authorities, or complaints made by citizens of the United States against the authorities of Spain. In view of such a possibility, I beg leave to suggest the expediency of establishing a joint commission for their settlement, to be composed of commissioners mutually agreed upon by the two governments.

A similar proposition has been made by the United States to Great Britain, and it is understood that there is a probability of its acceptance.

I avail myself of this occasion to offer to you renewed assurances of my very high consideration.

WILLIAM H. SEWARD.

Sénor DON GABRIEL GARCIA Y TASSARA, *&c.*, *&c.*, *&c.*

Mr. Tassara to Mr. Seward.

[Translation.]

LEGATION OF SPAIN,
Washington, August 26, 1862.

In continuation of the business of the Spanish steamer Cardenas, the undersigned, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, has the honor to transmit, annexed, to the Hon. Secretary of State of the United States, copy of the proceedings, sustained by documents, by which Don José Maria Morales, president of the Cuban General Steam Navigation Company, shows that the damages occasioned to them by the long detention of said vessel at New Orleans, in consequence of the unjustifiable orders of General Butler, amount to the sum of *sixteen thousand three hundred and forty-seven dollars.*

In pressing this claim the undersigned entertains the confidence that the government of the United States will admit its justice by indemnifying the owners of the Cardenas for the losses they have suffered.

The undersigned avails of this occasion to reiterate to the Hon. Secretary of State of the United States the assurance of his highest consideration.

GABRIEL G. TASSARA.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States.

[Translation.]

MOST EXCELLENT CAPTAIN GENERAL, SUPERIOR CIVIL GOVERNOR: Don José Maria Morales, president of the Cuban General Steam Navigation Company, with all due respect shows to you that on the 13th of this present month arrived at this port from New Orleans the Spanish merchant steamer Cardenas, the property of the said company, and under command of their captain, Don José Ramon Burguero. This vessel was cleared here for that port on the 31st May last past, carrying freight and passengers, with all the formalities and requirements necessary on the part of our authorities, and with the intervention of the consul of the United States at this place in all that concerned certificates to documents. On the 4th day of June, at five o'clock in the afternoon, the said vessel reached New Orleans, made fast to one of its wharves, and landed all the passengers in the best condition of health, without any impediment whatever made by the vessel of war and forts of that place. At eight o'clock the same night an order of the government was made known to the captain to cast off from the wharf, and drop down and anchor below the forts, reminding him that he had entered the port without having asked leave of the commander of said fort; and, although Captain Burguero presented himself to General Butler, commandant general of the department, with the intention of stating to him that, never having been in that port, he was ignorant of its settled usages, that notwithstanding he came to on passing before the forts and on arriving at the Lagavette, nobody prevented him from going on; that if any signal had been made to him to stop he would have obeyed it; and that it did not appear to him to be just that the interests of his owners and freighters should suffer by the negligence of the commanders of those forts. The said General Butler having refused to listen to his reasons, and threatening him with sinking his vessel if he did not immediately comply with the order which had been given him, Captain Burguero, desiring to secure himself from responsibility, and to guard, at the same time, the rights of the owners against the heavy damages which he foresaw would follow upon such a strange order to go into quarantine when there had not been a single sick man on his ship, and to guard, also, the rights of some freighters who had shipped fruits, which surely would rot and be thrown overboard, as in fact took place, went at once, without delay, accompanied by his consignees—Messrs. Avendaño Brothers—before her Majestys' consul resident at New Orleans to extend the protest which, in form most solemn, he encloses to you, that you may thereby inform yourself of its contents, and lay it before her Majesty's government, in order to obtain just reparation and indemnification of the losses and damages which have been caused to those interested in the vessel and to some freighters by the effect of the measures which were so inopportunely and so unjustly taken with the steamer Cardenas to cause her to suffer from twenty-two days of quarantine with such rigor as to challenge attention, as exercised only with that vessel, perhaps because she was Spanish, whilst the going up to the port was allowed to other vessels coming from the same place as the Cardenas, or subjecting them only to lighter quarantine, or none, as occurred with the American mail steamer Roanoke, which arrived from Havana a few minutes before the Cardenas.

If to such arbitrary action is added the strictness with which the authorities of the port acted on the day of the departure of the said steamer Cardenas an exact and general search being made on board, without passing over the letters passengers were carrying with them, which were opened and read in the presence of all, your excellency and her Majesty's government will not do less than admit that there is just ground to claim from that of the United States what may satisfy the dignity of ours and the injured interests of our subjects, damaged by the effect of the incomprehensible orders of General Butler; because, from the many interesting details which are shown by the protest, is deduced the injustice and oppressiveness of the penalty imposed on the steamer Cardenas, making her, without cause, perform twenty-two days quarantine after the vessel had received on board, on passing one of the forts, an officer of one of the detachments which garrisoned them, who asked the favor of being carried to the city, and after having been landed, together with thirty-five passengers that she brought from Havana, and finally after having been in full and complete communication and contact all the evening of the 4th day of June with the crowded population of New Orleans, which, through curiosity, came to visit the vessel.

The Cuban General Steam Navigation Company, considering that the round voyage of the steamer Cardenas could not exceed fifteen days, supplied their vessel with mess rations and provisions for that time, bearing in mind the scarcity and dearness of provisions in New Orleans, in order not to delay their vessel in port more time than was purely needful to take in cargo and passengers, that is to say, three or four days; but, as it could not enter into their calculations that twenty-two days of quarantine would be imposed upon her, it cannot be brought in question but that for a short time, while undergoing that quarantine, the captain was obliged to have recourse to the city to provide himself with necessary food, having had to pay thirty dollars a barrel for flour, half a dollar a pound for meat, a dollar a dozen for eggs, and the rest in the same proportion. The numerous crew of the vessel, exceeding forty persons, including officers, seamen, engineers, firemen, and other service, compulsorily brought upon her a daily expenditure of large amount, besides towings, pilot dues, and other extraordinaries, which have had to be paid three times in consequence of such quarantine, so that the whole will not be less than four thousand dollars; and if to this be added, as should be added, the estimate of damage by the loss of time by twenty-two days detention in such quarantine, during which the vessel might have made very easily a voyage and a half, this is another damage of importance, which, according to the data presented by the administrators of the company, may be considered at the lowest at $12,450 under existing circumstances; and this is the reason why the president of the company, who has the honor to address himself to you, begs you will please to have presented, in due form, the protest enclosed, with a separate note of the estimate of damages brought upon the Cuban General Steam Navigation Company, according to a memorandum signed by the administrators, amounting together to $16,347. These documents are placed in your influential hands, that in such manner and form as you shall seem just most adequate claim be made for payment from the government of the United States, as a just indemnification of the damages which were caused to the said company as a consequence of the unjustifiable orders of General Butler, commandant general of the department of New Orleans, such being an act of justice which is prayed from the government of her Majesty which your excellency so worthily represents in this island.

J. M. MIRALES.

HAVANA, *July* 26, 1862.

[Translation]

Administration of the Cuban General Steam Navigation Company.

HAVANA, *July* 23, 1862.

Amount of damages which, according to the notes of expenses presented by the captain of the steamer Cardenas, and the usual product of a round voyage to New Orleans at the present epoch, this administration considers that the Cuban General Steam Navigation Company has suffered, by the unjustifiable detention of twenty-two days, which the said vessel was subjected to at the port of New Orleans by the military commander and representative at that place of the government of the United States of North America, maintenance of the crew during twenty-two days, expenditure of coal, which was necessary to be replaced, at sixteen dollars per ton, tow boats, pilotages, errands of persons in employ, transportation of provisions, commissions on purchases, loss on exchange of paper for gold, &c., &c.	$3,897
On a round voyage of a steamer of 407 tons, between this port and that of New Orleans, the period of fifteen days is reckoned. Upon this idea, the Cardenas ought to have made a voyage and a half in the twenty-two days she was detained, and using as bases the net product of that she had just completed, (if she had not been delayed,) amounting to eight thousand three hundred dollars, the company would have earned, for a voyage and a half	12,450
Total	16,347

It results that the Cuban General Steam Navigation Company, which we conduct, has suffered damages to the amount of sixteen thousand three hundred and forty-seven dollars, by the detention of twenty-two days, at the port of New Orleans, of their steamer Cardenas.

SAN PELAZIO PARDO & CO.

Certified.

Mr. Tassara to Mr. Seward.

[Translation.]

LEGATION OF SPAIN IN WASHINGTON,
Washington, September 11, 1862.

The undersigned, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, has had the honor to receive the note of the honorable Secretary of State, of the 9th instant, in reply to that of the 3d, from this legation, remonstrating against the outrage committed in New Orleans upon the Spanish house of Avendaño and Brothers.

The case is, in truth, serious, and the undersigned hopes that, as the honorable Secretary of State assures him, the government of the United States, once convinced of the ground of the remonstrance, will hasten to do justice. The appointment of the new governor of Louisiana will, without doubt, contribute to the settlement of affairs in New Orleans.

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The undersigned avails himself of this occasion to renew to the honorable Secretary of State the assurance of his most high consideration.

GABRIEL G. TASSARA.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States, &c., &c,, &c.

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, September 17, 1862.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of Mr. Tassara's note of the 26th ultimo, in continuation of previous notes on the subject of occurrences which took place at New Orleans in the month of June last, on the arrival and departure of the Spanish steamer Cardenas and the United States steamer Roanoke.

In his note of the 16th of July last the undersigned had the honor to inform Mr. Tassara that a transcript of his communication of the 28th of the preceding month, on the subject referred to, would be sent to the special agent of the United States, then at New Orleans, and that he would be instructed to make a prompt investigation of the complaint. The return of that officer, however, to this city, while the instruction was on its way to New Orleans, has rendered a different disposition of the subject necessary, and the undersigned has accordingly transmitted to the Secretary of War copies of Mr. Tassara's several communications, with the request that he would cause an examination of the complaint and allegations in question to be made without delay.

The undersigned avails himself of the occasion to offer to Mr. Tassara renewed assurances of his very high consideration.

WILLIAM H. SEWARD.

Señor Don GABRIEL GARCIA Y TASSARA, *&c., &c., &c.*

Mr. Tassara to Mr. Seward.

[Translation.]

LEGATION OF SPAIN AT WASHINGTON,
Washington, October 20, 1862.

The undersigned, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, addresses the Hon. Secretary of State with a view of bringing to his knowledge an unwarrantable offence which has been committed at the island of Cuba by a vessel of the federal navy of the United States, and which, on account of all its circumstances, requires the most urgent and formal attention of this government. The facts, according to official communications received this morning from the governor captain general of the island, are as follows:

On the 7th of this month a merchant vessel, the Blanche, which at first was thought to be confederate, but which afterwards turned out to be English, was proceeding with a cargo of some six hundred bales of cotton to the port of Havana, consigned to Messrs. Timer, Robertson & Co. Pursued by a federal steamer-of-war, which all the versions designate as the Montgomery, and which was chasing her within the jurisdictional belt of the island, the Blanche thought to save herself by making for the beach of Mariano, at a few miles from Havana, running aground thereon at the distance of a few yards from the shore, and hoisting the Spanish flag over the English. The Montgomery, nevertheless, which was following her closely, sent two boats, with a crew of twenty-four to thirty men each, who, not satisfied with boarding her, set fire to her.

Meanwhile the authorities of the town of Mariano, situated at a short distance, had come forward to ascertain the causes of the disaster, and to lend suitable assistance. The naval officers of the federal steamer, far from listening to the strong protests which were addressed to them, threatened the sea alcalde, maltreated his son, who had gone on board, and finished by taking off with them a Spanish subject, who had served as a pilot. The conflagration being over, the federal steamer went away. The Blanche and her cargo having been consumed, the two flags which had been left on the vessel having been burnt up, and the crew, consisting of twenty-two men, and their captain, named Smith, having been saved, thanks to the assistance which was lent them by the people of Mariano.

Such are the facts as they are officially shown up to this time. From trustworthy accounts, published in the newspapers of Havana, it appears, moreover, that the Blanche was proceeding from Port La Vaca, in Texas, and that on the 6th she had anchored at Mulata to take in fuel. Other aggravating circumstances also appear, if aggravation is possible in this case, such as that during the chase, at a very short distance from land, several ball cartridges were fired. Of the whole the appropriate judicial investigation was taking place, a report of which the undersigned will communicate in season to the Hon. Secretary of State, and meanwhile he transmits to him the annexed copies of the first reports of the affair, with the circumstances which have been mentioned, (Nos. 1, 2, and 3.)

On the first reception of the news at Havana, where it was proper it should be told, the sensation was very great. The superior authorities of the island sent several vessels-of-war immediately in pursuit of the offending steamer, which had disappeared from those waters, and other proceedings were resorted to to prevent under any circumstances the repetition of this or any similar aggression.

Through a toleration, for which, if not the government, at least some of the official agents of the United States make a very poor return, the war and merchant vessels of this country, on arriving at Havana, have hitherto been permitted to remain outside of the port, communicating with their consul by means of a boat from the first moment of their arrival. On the said morning of the 7th the Montgomery was at the port of Havana, and was communicating with the consul by that means, which induces the belief that the subsequent offence was committed with the assent or perhaps by the instructions of that agent. This practice was abolished from that moment, and a stop was also put to any other which is not in conformity with the maritime or sanitary regulations, or in which there is not perfect reciprocity in the ports of the United States.

In addressing this legation the governor, captain general of Cuba, transmits the determination of reclamations which may finally have to be made to the government of her Catholic Majesty. That functionary judges, however, and judges rightly, that the undersigned will act as is demanded of him by the extraordinary character of these events. To act in any other manner would be, by closing his eyes to the evidence of such wrongs, to render himself an accomplice in the possibility of conflicts, the responsibility for which the Spanish authorities, ever disposed to avoid them, will hasten to cast off from themselves on whomsoever they may be who provoke them.

The undersigned need not stop to prove that the event of Mariano involves not only an offence but a series of offences, each one of which is more than sufficient for establishing a grave reclamation. These offences are, 1st, a violation of the jurisdictional maritime belt of Cuba, carried even to the territory itself of the island, and the character of which is aggravated by the existence of previous demands, to which this government, although exhibiting always the best disposition, has not yet given a final answer; 2d, the insult offered to Spanish authority in the person of the sea alcalde of Mariano and in that of his son, at the moment when they were exercising two most sacred acts, one an act of authority, and the other an act of humanity—an insult aggravated, moreover, by the capture of the pilot of the Blanche, and taking him out of his country on board of the Montgomery; 3d, the insult offered to the Spanish flag, together with another neutral flag, that of England, by looking on them unmoved, and seeing them consumed amidst the bales of cotton of the burning vessel; and, 4th, the burning itself of a neutral merchant vessel on an almost desert beach, as though it were in open war, without any respect either to existing treaties, to the declarations of the governments, or to any of the laws which now prevail in the civilized world.

The imperious duty in virtue of which the undersigned now comes forward to complain of the government of the United States is still more strengthened by a profound conviction that the Spanish government, and the authorities of Cuba, have fulfilled all their duties towards the United States in the two years of civil war which has been going on, with an amplitude that perhaps has exceeded the limits of true neutrality, and with a respect for established rights that was more demanded of it for the rights of Spain. The honorable Secretary of State has acknowledged this on more than one occasion, and even at this time it would be easy to exhibit to him new proofs of a conduct which gave a right to expect a different return. Nor is this to admit the supposition that this government could have even remotely authorized acts like that which has just been perpetrated in Cuba. It would even be offering an insult to it to apprehend that it would hesitate a moment in condemning them with all the energy which is demanded by so many rights and by so many respectful observances that are not usually found; but the truth is that the justice and reason of Spain are moreover re-enforced with another title to consideration of the United States, and it is to be hoped that it may be held in account in proceeding in this grave affair.

The undersigned, therefore, would be wanting to the confidence which his government has reposed in him if he did not anticipate its instructions by demanding prompt and complete satisfaction and reparation for all the wrongs inflicted, and all the interests damaged, by the outrage and the burning of the

English vessel, the Blanche, on the beach of Mariano. He must demand, also, the immediate restoration of the pilot who was conducting her, with corresponding orders to the commanders of naval forces in the Gulf, to the end that, respect being secured to maritime jurisdiction and to the other rights of a neutral power like Spain, a stop may be put to acts whose repetition would certainly lead to consequences which it is the common duty and interest to avoid. He would moreover request the honorable Secretary of State to fix well his consideration on the conduct of the officers or agents who have figured in this affair, and who have in this manner compromitted the good name of their government, not only in the eyes of Spain but in those of the whole world. He must add, finally, that, for the due knowledge of the authorities of Cuba, he would desire to know, within a conveniently brief space of time, what the government of the United States may be pleased to determine.

The undersigned knows too well the elevation of understanding and the sincerity of character of the honorable Secretary of State to doubt that he will endeavor on this occasion to make good the friendly inclinations with which he has always shown himself animated towards Spain. The honorable Secretary of State, in his turn, is sufficiently acquainted with the minister who has the honor of addressing him this note to know that his greatest aspiration, interpreting therein the will of his government, is to preserve unharmed and even to draw closer than they ever have been the relations of Spain with the United States through the crisis of this country. On this account he has ever endeavored, within the circle of his influence, and in the course of long and repeated negotiations, to give the affairs the turn most propitious to the honor and interest of the two nations; and in making now this demand he is entirely confident of being able to assure his government very soon that there is no reason for apprehending the slightest alteration in the course of the reciprocal relations.

The undersigned avails himself of this opportunity to reiterate to the honorable Secretary of State the assurance of his highest consideration.

GABRIEL G. TASSARA.

Hon. William H. Seward,
Secretary of State of the United States.

[Translation.]

GOVERNMENT AND CAPTAIN GENERALSHIP OF THE ISLAND OF CUBA—OFFICE OF SECRETARY OF GOVERNMENT—POLITICAL—GENERAL COMMANDING OF NAVY FOR THE STATION OF HAVANA.

Most Excellent Sir: I have to-day received the telegram which I transcribe from the commander of the schooner Isabel Francisca:

"It is 11½ o'clock, the confederate vessel is all on fire, having run aground at a distance of six miles from Sabana; it cannot be extinguished; the federal steamer Montgomery, which set her on fire, took a course to the northwest. We set out immediately to assist the schooner and to see if we could find the federal."

Which I transcribe for the knowledge of your excellency, adding that the Montgomery is the same steamer which was yesterday at the mouth of the port, and which sent a boat to communicate with her consul. * * * *

At the same time a preliminary investigation is being made into the affair on the spot, the result of which I shall report to your excellency for the ends which it may occasion.

God preserve your excellency.

His Excellency JOAQUIN GUTIERREZ DE RUBALCAVA.
His Excellency the SUPERIOR GOVERNOR.

HAVANA, *October* 8, 1862.

A copy.

ANSELMO DE VILLAESCUSA, *Secretary.*

A true copy.

[Translation.]

GOVERNMENT AND CAPTAIN GENERALSHIP OF THE ISLAND OF CUBA—ULTRAMARINE ARMY IN CUBA—REGIMENT OF THE CIVIL GUARD NO. 160.

MOST EXCELLENT SIR: At seven o'clock to-night I received the following despatch from the sub-lieutenant commanding the post of civil guard of Mariano, who sent it to me from the beach of that village:

"At three o'clock in the afternoon I received notice from Captain Redaneo, of this district, and immediately came to this beach, where I met that officer viewing at ten yards from the shore a vessel of the southern States which was completely on fire, and, as I was informed, she was set on fire by the crew of a vessel-of-war of the northern States, which vessel-of-war was pursuing and had launched boats with twenty-four and thirty men each, and they boarded said vessel and set fire to her. The said southern vessel was run aground by her crew, and the Spanish flag was hoisted over the English, which were burnt, to the former of which the said vessel had been delivered. The crew landed without anything remarkable, not being able to save any of their cargo, which consisted, as they said, of six hundred bales of cotton. After setting fire to the vessel the people of the northern vessel re-embarked, and the vessel disappeared; which I report to Y. H. in compliance with my duty."

I have the honor to transcribe it for your excellency without loss of time, for your perfect knowledge of an affair as serious as it is extraordinary, although it is probable that your excellency may have received these despatches from the local authorities.

God, &c.

HIPÓLITO LORENTO,
Colonel First Commander.

His Excellency the CAPTAIN GENERAL of this Island.

HAVANA, *October* 7, 1862.

A copy.

ANSELMO VILLAESCUSA, *Secretary.*

A true copy.

[Translation.]

GOVERNMENT AND CAPTAIN GENERALSHIP OF THE ISLAND OF CUBA—OFFICE OF SECRETARY OF GOVERNMENT—POLITICAL—MILITARY ADJUTANCY OF NAVY OF CHORRERA.

To the Commander of Matriculations of this province:

In compliance with the verbal order of Y. E., I proceeded at daylight this morning to the beach of Mariano, for the purpose of entering into the preliminary investigation in relation to the running aground at said place of a steamer supposed at first to be confederate, but which now turns out to be English. According to the depositions furnished by the sea alcalde and two witnesses who were present at the act, it seems that about two o'clock in the afternoon a steamer without a flag was descried, which was approaching that part of the coast, and that another with the flag of the federal navy of the United States was giving chase to her. The former, on drawing near to the beach, hoisted the English flag; and, according to information which I have obtained, she is called the "Blanche," and her captain is named Smith; and the federal the "Montgomery;" the crew of the former consisting of twenty-two men and three passengers; her consignees in this place, Timer, Robertson & Company; her cargo, cotton. As soon as she ran aground, the federal steamer lowered two boats, which, sufficiently manned and armed, went to the English vessel and set her on fire, taking away with them a Spanish individual belonging to a coasting schooner, whose name was unknown, but who has served as a pilot; remaining at the place until a quarter past three, when the vessel being completely burnt, they made their course to the west, the English captain having asked for and hoisted previously on his vessel a Spanish flag, which was also burnt. On coming on board the American officers threatened the sea alcade, and actually maltreated his son, who had gone on board to offer assistance to the captain and crew in their critical position. As the persons forming the crew were not acquainted with the Spanish language, and I had no interpreter, I limited myself solely to the first proceedings, which I have the honor to enclose to Y. H., for such determination as you may deem proper. All which I state to Y. H. for your knowledge and as a continuation of my despatch of yesterday referring to the matter.

God, &c.

HAVANA, *October* 8, 1862.

A y ..

ANSELMO DE VILLAESCUSA, *Secretary.*

A true copy.

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, October 23, 1862.

The undersigned, Secretary of State of the United States, had the honor, on Monday last, the 20th instant, of receiving his excellency Señor Don Gabriel Garcia y Tassara, minister plenipotentiary of her Catholic Majesty, the Queen of Spain. Upon that occasion Señor Tassara verbally communicated to him the substance of a correspondence which had been made to Señor Tassara by his excellency the captain general of Cuba, to the effect that a United States cruiser had chased an English and neutral vessel into the maritime limits of

Spain, driven her ashore, and destroyed her by fire, committing at the same time other acts of aggression and violence against not only subjects, but even authorities of the Queen of Spain in that island.

No department of this government had at that time received any information of the transaction thus mentioned, except a vague statement that it was reported at Havana that an insurgent vessel of this country had been chased at sea by an armed vessel of the United States, and was reported to have run ashore upon the coast of Cuba and been burned, without any further or more definite information concerning the transaction. The undersigned immediately thereupon called the attention of the Navy Department to Señor Tassara's complaint, with a request for the earliest and fullest investigation of the same that the department could make. The undersigned, at the same time, communicated to the minister plenipotentiary of the United States at Madrid the information which he had received from Señor Tassara, and authorized him to assure Mr. Calderon Collantes that the subject would be promptly investigated, and that just in the degree that the transaction should be found to justify the representations which Señor Tassara had made to the undersigned would agents of this government, who had equally violated the laws of the United States and their own instructions, be visited with the severe displeasure of the government, and the wrongs and injuries they had committed would be promptly and amply redressed.

The undersigned has now the honor to acknowledge the receipt of a note in writing from Señor Tassara, bearing date the 20th instant, which sets forth the same complaint with customary formality, and which is accompanied by documents presented for the purpose of substantiating the same.

The undersigned being thus, for the first time, made acquainted with the case in a convenient manner, is authorized to renew to Señor Tassara the expressions conveyed to his government that no delay shall be made by this government in ascertaining the merits of the complaint, and in awarding to Spain, and to any other parties who may be concerned in it, if the facts presented shall not be adequately controverted, all the redress and all the satisfaction which the law of nations, or the treaties between Spain and the United States, or even the comities due between friendly nations, shall require.

The undersigned willingly admits on this occasion the general as well as the special grounds upon which Señor Tassara rests his expectations, that this government will act not only promptly, but justly, and in good faith in regard to the complaint.

The undersigned avails himself of this occasion to renew to Señor Tassara the assurances of his highest consideration.

WILLIAM H. SEWARD.

Señor Don Gabriel Garcia y Tassara, *&c., &c., &c.*

Mr. Seward to Mr. Tassara.

Department of State,
Washington, November 15, 1862.

The undersigned, Secretary of State of the United States, has now the honor to recur to a communication concerning the house of Avendaño Brothers, at New Orleans, which was addressed to him on the 26th of August last, by Señor Gabriel Garcia y Tassara, her Catholic Majesty's minister plenipotentiary residing near this government.

In that paper Mr. Tassara stated that a confederate steamer going from the Havana, having been captured in Berwick bay, there were found on board of her some letters addressed to the Spanish house of Avendaño Brothers, one of them containing invoices of goods sent in consignment to them, but not for their account, by different vessels, and a bill to their order for some few hundred dollars.

Mr. Tassara further states that a few days after that incident occurred Avendaño Brothers received a note from General Butler, saying that he wished to see them. That one of the members of the house went to General Butler. That General Butler showed him the letter, (which contained invoices as before described,) together with the bill before mentioned, and two others, seconds, for the value of nineteen hundred pounds sterling, requiring payment of the amount.

Mr. Tassara next states that the representative of Messrs Avendaño Brothers assured General Butler that that house had nothing to do with those bills, because they did not, even by name, know the persons by whom they were drawn, but that these protestations served no purpose except to enrage the general, who insisted on his demand, under the threat of imprisonment in Fort Jackson, directing that the member of the house who made the protestations should be kept under arrest, and at the same time Major General Butler ordered an officer to take possession of the correspondence which should be found in the counting house of Avendaño Brothers.

Mr. Tassara proceeds to say that, in the state of things thus described, Messrs. Avendaño Brothers instructed a lawyer to see General Butler, and to cause him to understand the injustice he had done against them. That the general admitted that the bills, and even the goods pointed out by the invoices, were not, in fact, the property of those gentlemen; but he added that the gains which they must have made by the exportation of cotton and the importation of arms must have augmented so much that they might consider themselves very fortunate if they were not compelled to pay a larger sum.

Mr. Tassara proceeds to state that in the face of such violences there was no remedy but to yield, and that the Messrs. Avendaño, fearing to become victims of an outrage, signed a bill of exchange to the order of General Butler for the value of nine thousand six hundred dollars. That then, and not until then, the partner of the house who had been arrested, but was at large on bail, was set at liberty.

Mr. Tassara further states that the head of the said house, by name Don Peregrino Avendaño, not yet knowing to what he might be exposed, and judging from past oppressions, resolved to go to the island of Cuba; and that he has done so, and so has abandoned his business at New Orleans.

Mr. Tassara next observes that he deplores the necessity under which he is placed of complaining so repeatedly of the military authority at New Orleans in relation to the subjects of her Catholic Majesty.

Mr. Tassara then observes that the exaction of which the Messrs. Avendaño have been the subjects is a new and odious arbitrariness, and that the charge informally alleged against them cannot be anything else than a pretext to cover up the injury.

Mr. Tassara remarks that her Catholic Majesty's government has no need to repeat that it withdraws its protection from those of its subjects who break the laws of neutrality in the contests of this country.

At the same time Mr. Tassara observes that vague asseverations are not sufficient to prove an offence, especially, in particular, such as the violation of a blockade, which frequently bears its punishment along with it, and which, even when established, cannot palliate such downright injustice as that of which he has thus complained.

Upon these premises, Mr. Tassara expresses the opinion that the United States are under an obligation to make restitution of the sum of nine thousand six hundred dollars, which he represents as having been extorted by violence from the Messrs. Avendaño, no less than of the correspondence which the said house was also compelled to deliver, and also to compensate the Messrs. Avendaño by the payment of damages and further indemnities.

Mr. Tassara, in conclusion, remarks that he does not question the proper disposition of the government of the United States to give effect to the protection of Spanish subjects residing in this country, but that, in the face of facts of the nature of those which are taking place at New Orleans, such protection seems to be null or insufficient; and such abuses demand urgent remedy.

The undersigned thinks it not improper to recall to the remembrance of Mr. Tassara the fact that some eighteen months ago an insurrection broke out in the city of New Orleans and in the region adjacent to it, and that a seditious party seized upon that important city, with its port, and occupied it with hostile forces, subverting the authorities of the United States and waging a war thereon for the overthrow of this government. All citizens of the United States residing there, whether engaged in trade or otherwise, owed allegiance to the United States, and were, by the Constitution and laws, obliged to refrain from engaging in, or aiding, abetting, or comforting their internal enemies. By the laws of nations, and by treaties, the same obligation rested upon all aliens who were residing there, whether engaged in commerce or not. The government of the United States forbade, by laws and by executive proclamation, all citizens and strangers within the United States from giving or rendering aid or information to the insurgents in any manner, equally by sea and on land. In due time the government despatched naval and land forces to New Orleans, conquered and captured the town and the port, and reduced them to military occupation under the command of Major General Butler, of the volunteer forces of the United States. Since that occupation the civil authority at New Orleans has, from reasons of public necessity, remained entirely in abeyance, and the city and port have been and are yet held under martial law as a military garrison, with the single modification that the blockade of the port has been relaxed, so as to permit legitimate and innocent trade under the restrictions proposed by the military authorities.

The undersigned is informed that the house of Avendaño Brothers are merchants who have for a long time been carrying on trade in the city of New Orleans. The undersigned finds himself obliged to remind Mr. Tassara that no evidence has been furnished to show that, if Avendaño Brothers ever have been subjects of her Catholic Majesty, they have still retained their allegiance, much less that they have not, to use Mr. Tassara's words, "broken the laws of neutrality in the contests of this country," which it has been the duty of the undersigned to describe. Indeed, the Messrs. Avendaño have not caused the undersigned to be furnished with proof of the fact that they ever have been subjects of her Catholic Majesty.

Mr. Tassara will be satisfied that this point is a material one, when he is informed, as the undersigned has learned from the military authorities at New Orleans, that persons who were born in the United States and attained the age of thirty years, continually residing in the country, and carrying on business and enjoying the privileges and exercising the rights of American citizens, have, since this civil war broke out, claimed to be subjects of foreign sovereigns, and by reason thereof rights of neutrality.

The undersigned does not doubt for a moment that Mr. Tassara has assumed upon probable grounds to extend the protection of her Catholic Majesty's government to the Messrs. Avendaño. But, insomuch as they are presented to this government as claimants, it is deemed reasonable that their allegiance, like every other element of their claim, should be substantiated by proper evidence.

The undersigned has now to inform Mr. Tassara that it is represented by the military authorities at New Orleans, as a fact which has been duly ascertained by them, that the house of Avendaño Brothers were, from an early period in the present civil war, engaged at New Orleans in exporting cotton through the blockade, and in importing and supplying the insurgents with arms and munitions of war for the overthrow of the government of the United States, in violation of the laws and the proclamations of the President, and that they thereby became, and ever since have been, active and dangerous enemies of the country whose protection they are now claiming.

The undersigned is justified by the same military authorities in saying that, for all the cotton the Avendaño Brothers so exported, in violation of the blockade, they were required by the insurgents' agents to import, and they did import, one-half of the proceeds or equivalent in such arms and munitions, which they directly or indirectly placed in the hands of the armed insurgents against the United States.

The undersigned is next authorized to state that a steam vessel, the Fox, having at an early period in the war been seized and taken by armed insurgents from her loyal owners, she was thereafter employed by such insurgents in the same contraband exportation of cotton and importation of arms and munitions of war; that, after she had already made three successful trips in that occupation, about the 10th of May last she was captured by General Butler on her fourth voyage; that she had then on board a cargo of arms, powder, lead, quicksilver, acids for telegraphic purposes, chloroform and morphine for medical stores, (all of which was not merely contraband, but was designed for the enemies of the United States,) to the value of three hundred thousand dollars; that at the time of the capture the Fox had run into the Bayou la Fourché, on the west side of the Mississippi, from which bayou she might run into Vicksburg, then in the possession of the insurgent enemy.

The undersigned is further authorized to state that on board of the Fox were found invoices, letters of advice, bills of lading, bills of exchange, and other evidence of transactions of the illegal character which the undersigned has described; that the bills of exchange were the produce of contraband shipments of cotton, less the one-half which had been invested in such contraband arms and munitions as have been described; that among these bills were the bills of exchange payable to the house of Avendaño Brothers, to which Mr. Tassara is understood to refer, the first having been forwarded by some other conveyance, but still remaining unpaid, and these very bills were for the one-half of the proceeds of a cargo shipped to Havana, the other half of which proceeds had been invested in such arms and munitions of war for the use of the armed insurgent enemies of the United States.

Besides these papers there was also found in the same vessel a correspondence between one Roest, an emissary of the insurgents at Richmond, engaged in attempting to excite foreign governments, and even the government of Spain, to adopt belligerent proceedings against the United States.

The undersigned is further authorized to state to Mr. Tassara that Major General Butler, by personal examination of the papers of the Fox, ascertained that the Avendaño Brothers were largely interested in, or consignees of, the aforesaid contraband cargo of the Fox. He then took into consideration the facilities for such traffic which were afforded by the no less than fifty-three marine passages connecting the State of Louisiana with the Gulf of Mexico. Upon such examination and consideration he determined to exert his military power to arrest this illegal and dangerous traffic. He called before him a member of the house of Avendaño Brothers, and charged him with the aforesaid participation of the house in the treasonable trade, and the member so charged did not deny the accusation.

Major General Butler having, in the manner before mentioned, seized and brought into the use of the government of the United States the contraband arms and ammunition which represented one-half of the proceeds of the previously described shipments of cotton, he seized for the use of this government the equally contraband other half of those proceeds, which were found on board in the form of a bill of exchange, payable to the order of Avendaño Brothers. Major General Butler required Avendaño Brothers to pay the amount of that bill of exchange as a just penalty for their crimes against the United States, and as preventive of such treasonable proceedings in future.

The undersigned is further authorized to state to Mr. Tassara that, while it is true that the senior of the house of Avandaño has left New Orleans and taken refuge in Cuba, as Mr. Tassara has been informed, it is also true that his flight from New Orleans was determined by the consciousness that he had committed other grave crimes against the peace, dignity, and sovereignty of the United States.

The undersigned is further authorized to state to Mr. Tassara that the lawyer who was sent by the Avendaño Brothers to Major General Butler to ask explanations was one who had not renewed his oath of allegiance to the United States, as had been required by a military regulation which that general officer had established, and therefore he was not heard when he proposed to argue legal questions with the general in command. In the course of that conversation Major General Butler, referring the transactions which the undersigned has related, informed the lawyer that Avendaño might think himself well off if he lost no more of the profits of his illegal transactions.

In conclusion, the undersigned, having taken the instructions of the President of the United States upon the subject, has the honor to inform Mr. Tassara that upon the case, as it now stands, the United States cannot admit that they have been brought under such obligations as Mr. Tassara has in his note assumed. At the same time the undersigned holds himself in readiness to receive any information or proofs which Mr. Tassara may be able now, or at any future time, to present, either in support of the case as it has been presented by Mr. Tassara, or controverting the case as it has been presented by the undersigned. Nor will the undersigned, in the prosecution of the matter, fail in any case to furnish Mr. Tassara all such proofs as may be found necessary to justify the defence which the military authorities at New Orleans have authorized the undersigned to assume.

Mr. Tassara may be assured that, while the government of the United States must, of course, sustain their military authorities in the performance of their difficult and responsible duties towards the government, it will in no case sanction any the least violation by them of the rights of the government or of any of the subjects of her Catholic Majesty. The undersigned hardly need assure Mr. Tassara that this government regrets as profoundly as Mr. Tassara does every occasion which tends in any degree to produce misunderstanding between the United States and Spain.

The undersigned avails himself of the opportunity to offer to Mr. Tassara renewed assurances of his very high consideration.

WILLIAM H. SEWARD.

Señor Don GABRIEL GARCIA Y TASSARA, *&c., &c., &c.*

PRUSSIA.

Mr. Seward to Mr. Judd.

No. 21.] Department of State,
Washington, January 8, 1862.

Sir: Your despatch of December 14 (No. 14) has been received.

Your suggestions to Count Bernstorff concerning the difficulties between the United States and Great Britain were by no means improper, they being distinctly understood to be made in the exercise of your individual judgment, and not with any authority on the part of this government. Moreover, we deem it fortunate that they were made, because they elicited the expressions of friendly interest on the part of the government of Prussia towards the United States. We reckon always confidently on this friendship. It is a moral element of great value.

We entertain a good hope that by steadily practicing good faith and all possible liberality towards foreign states we shall avoid the dangers of foreign war, which the insurgents are so busily endeavoring to bring down upon the country which they have vainly devoted to destruction. The success of our cause in arms and in the convictions of the people is steady and increasing.

I have read with interest your account of political events and prospects in Prussia. Our best wishes are that the government may be successful in its endeavors so to conduct its affairs that it may advance the prosperity, welfare, and freedom of a great and enlightened people.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Norman B. Judd, Esq., *&c., &c., Berlin.*

Mr. Seward to Mr. Judd.

No. 30.] Department of State,
Washington, May 6, 1862.

Sir: Your despatch of April 8 (No 22) has been received.

Taking into consideration the position of the Prussian government upon the question of political right which is involved in the cases of Jacob Spandau and Adolph Katz, their release is an act of comity for which it will be your pleasant duty to express the President's acknowledgments.

We are beginning to see a breaking of the clouds above us, and to indulge hopes of a speedy return of peace with national unity. When that consummation shall have been reached and Prussia shall have gotten relief from her present anxieties, as I trust will be the case, we shall try to come to some definite and harmonious understanding with her upon this vexed subject of conflict between our naturalization and her military laws. Meantime you will not hesitate to express assurances of the constant good will of the

United States towards the King and people who have dealt with us with good faith and great friendship during the severe trials through which we have been passing.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Norman B. Judd, Esq., *&c., &c., Berlin.*

Mr. Seward to Mr. Kreismann.

No. 2.]

Department of State,
Washington, September 6, 1862.

Sir: Your despatch of August 9 (No. 3) has been received.

This government could not, without giving offence, offer to subjects of foreign powers inducements to enter the armies of the United States, much less could it properly make payments to them in order to enable them to reach our shores with a view to enlistment.

Recruiting here is now very rapid, and there is likely to be no deficiency of volunteers which will not be supplied by a light draft, or if the time be extended the army will be filled with volunteers without draft. At the same time it is very manifest that labor has advanced and is advancing in price, and there was never before a time when this country presented so great inducements to emigrants.

Some subjects presented in your despatch will be treated of in a distinct communication.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

H. Kreismann, Esq., *&c., &c., &c., Berlin.*

Mr. Judd to Mr. Seward.

[Extract.]

No. 14.]

Legation of the United States,
Berlin, December 14, 1861.

Sir: I have the honor to acknowledge the receipt of despatches Nos. 18 and 19, dated, respectively, 4th and 25th of November, 1861.

The principal topic of discussion at this time among the diplomats and others is the pending difficulty between the United States and Great Britain, growing out of the seizure of Mason and Slidell, and what will be its result. I have had conversation upon that subject with a majority of the representatives of other governments residing at this capital, and have found no one who does not appreciate the serious consequences to the commerce and business of the world that would occur in case of a war between the United States and England, and who does not deprecate such a result; some of them on account of the present condition of the United States, and others from a selfish motive connected with the mercantile and commercial interests of their respective countries. The newspapers are filled with rumors and speculations as to the action of England, among them one as follows: that England had made two propositions to the parties to the Paris conference about American matters; 1st, that the blockade should be declared ineffectual, and therefore raised; and, 2d, that those powers should acknowledge the independence of the Confederate States; and it was further asserted that all the powers had assented to the first proposition, Russia with a declaration that it was not to be construed into a disposition to war with the United States. I had an interview, by appointment, yesterday, with Count Bernstorff, minister of foreign affairs, to get some action in relation to the matter of Adolph Katz, whose case I have heretofore reported to you, and to prevent Hudson and Pope, the two individuals of whom I had occasion to speak in my despatch No. 11, from again obtaining permission to enter the royal military academy, and to participate in the cavalry exercises of the troops stationed here, having been advised that they had made another application for that purpose to the minister of war. I ascertained that Count Bernstorff had that very morning advised the minister of war not to grant the permission desired by these men. During this interview I also called the Count's attention to the rumored proposition of England to the powers parties to the Paris conference, and he replied by stating that no proposition of any kind had been made by the British government to the Prussian government upon that subject. He expressed regret at the threatened difficulties with England, and hoped war might be avoided. I then said to him, "Why don't your government keep the peace?" To which he replied by asking if the government of the United States would not object to their interference? I told him that the friendly relations that had always existed between the governments of the United States and Prussia would authorize any friendly act of that kind; that I had no advice or instruction from my government upon the subject, and that I was only expressing my own feelings. I stated, further, that unless England had some ulterior object for war, and only made the Trent affair a pretext, there was no necessity for the hasty action that was threatened; that the honor of England was safe while she was listening to the voices of the powers that were represented at the treaty of Paris. He said that he did not think there was any ulterior motive; and when I expressed to him my views of the legality of the act, when considered in the light of the British construction of international law, he replied that there was sufficient ground for argument upon either side to cause the parties to hesitate before becoming involved in a war for that cause.

My conversation with him was very satisfactory, and there is no doubt of the friendly feelings of the Prussian government towards the government of the United States, and its desire that the rebellion should be subdued.

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I have the honor to be your obedient servant,

N. B. JUDD.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Judd to Mr. Seward.

[Extracts.]

No. 18.]

Legation of the United States,
Berlin, February 17, 1862.

Sir: I have the honor to acknowledge the receipt of despatches Nos. 21 22, 23, and 24, bearing dates, respectively, the 8th, 10th, 13th, and 25th of January, 1862.

* * * * * * * * *

An American citizen, residing at Hamburg, has informed me that certain persons, whose names he furnished, were at Hamburg, on their way to Berlin, "to see the King" on behalf of the rebellious States. I did not think there was enough of importance in the gossip of Hamburg to create any serious anxiety, but took the necessary steps to ascertain the whereabouts of the men here, and hope to find out their business, if they have any. At Count Bernstorff's reception I mentioned to him that roving confederate emissaries were in Europe, and that some of them were reported to be in Berlin, and inquired of him whether he had heard from any such persons. He replied in the negative, and added that he knew of no good reason why his government should have anything to do with them.

* * * * * * * * *

Your reply to the Prussian note on the Trent affair, which the newspapers have published, has been very well received everywhere, and the Union success in Kentucky is causing universal rejoicing, as the harbinger of the speedy overthrow of the rebellion. May the ardent hopes it has given rise to not again be disappointed.

I have the honor to be your obedient servant,

N. B. JUDD.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Kreismann to Mr. Seward.

[Extracts.]

No. 3.]

United States Legation,
Berlin, August 9, 1862.

Sir: * * * * * In view of the fact that enlistments at home are progressing somewhat slowly, I beg leave to submit to your consideration the following suggestions:

At the end of the present month a very large number of Prussian soldiers, whose term of active service will then have expired, will be dismissed. On the part of many of those, thus expecting to be discharged, applications are made to this legation to procure them a free passage to the United States, with a view of their taking service in our army. Now, if some arrangement could be made for carrying men free of charge from Hamburg or Bremen to New York, thousands of valuable soldiers could, in my opinion be added to our ranks. When large bounties are so freely offered at home, why could not means be found to enable those here to enlist, who are willing and ready to go. Whether such a course could be looked upon as an infringement of the neutrality laws you can much better determine than myself; I deem it my duty to lay the matter before you and to request an expression of your views. If any steps are to be taken they must be taken quickly.

* * * * * * * * * *

The laws concerning the pay of volunteers, pensions, &c., passed by the late Congress would also be very acceptable.

There are so many parties in Germany who have near relatives in our army, and inquiries about their whereabouts and their fate are so numerous, that it would be very desirable if official lists of the killed and wounded, and of those who die in hospitals, could be sent to this legation from the

War Department. Many anxious hearts could thus be relieved. I have repeatedly taken the liberty of addressing myself to the adjutant general directly for information; but I now desire to respectfully urge the matter upon your attention.

I have the honor to be your obedient servant,

H. KREISMANN.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Baron Gerolt.

DEPARTMENT OF STATE,
Washington, May 14, 1861.

SIR: A clause of the third article of the treaty between the United States and Japan, of July 29, 1858, gives American citizens the right, after January 1, 1862, to reside in the city of Yedo for the purposes of trade.

Mr. Harris, our minister resident there, so long ago as the first of last August, addressed to this department a despatch recommending that the exercise of that right should be postponed another year. His argument is, that the hostility of the population of the capital to foreigners renders it hazardous for Americans to dwell there for the purposes indicated.

The treaties made by Japan with France, Great Britain, Russia, Prussia, and Holland, contain, it is understood, exactly the same stipulation in favor of the subjects of those countries. The minister from France, in January last, informed this department that his government had had under consideration the same question of postponing the day for the opening of the port of Yedo, and requested a conference and comparison of views with us on that subject. The late administration for some cause omitted to take up the matter. It has therefore devolved upon the present one.

The President might, perhaps, have yielded to Mr. Harris's suggestion if the circumstances which surround the subject had remained unchanged. But we learn by recent despatches that Mr. Heusken, secretary of the American legation at Yedo, was, on the night of the 15th of January last, waylaid and assassinated in the streets of that city, probably without other cause than his being, as a foreigner, obnoxious to the prejudices of the population.

Of this violation of the rights of an American citizen and representative the government of Japan has made no satisfactory explanation. On the other hand, it has virtually confessed its inability to bring the offenders to punishment.

The Japanese government would infer that we are unwilling or unable to vindicate our rights if, after that transaction, we should frustrate the effect of the treaty stipulation to which I have referred. The faction opposed to the policy of opening the country to foreign commerce would be encouraged by such a measure at such a time, and would, perhaps, precipitate a revolution which would result in a loss of all the advantages of the treaty. The other powers, holding the same relations, would be involved in the same misfortunes.. For these reasons the President is of opinion that no postponement of the day for opening the port of Yedo, assigned by the treaty, ought to be conceded.

But the emergency renders it necessary to make some demonstration which will render the residence of foreigners in Yedo safe. Even the diplomatic representatives there would be seriously exposed if there should be a popular outbreak, attended by timidity, on the part of the Japanese government.

The government of the United States thinks that this danger can probably be prevented by a very simple procedure of this kind, namely: Let all the other powers which have treaty stipulations of the same effect as those of the United States announce to the government of Japan their willingness and their purpose to make common cause and co-operate with this government in exacting satisfaction if the Japanese government shall not at once put forth all possible effort to secure the punishment of the assassins of Mr. Heusken, and also in making reclamations with signal vigor if any insult or injury shall be committed against any foreigner who shall be residing in Yedo after the port shall have been opened in January next, according to the treaty.

I pray you to submit these suggestions to your government, and if they shall be favorably received the despatches for executing their design shall be promptly prepared and laid before you.

I avail myself of this opportunity of renewing to you the assurance of my high consideration.

WILLIAM H. SEWARD.

BARON FR. VON GEROLT, *&c., &c., &c.*

Mr. Seward to Baron Gerolt.

DEPARTMENT OF STATE,
Washington, August 6, 1861.

SIR: Since our interview the other day concerning the relations of our respective governments with the government of Japan, a letter has been addressed by the President to his Majesty the Tycoon of Japan, and by myself to his Majesty's ministers for foreign affairs, in answer to the communications which were submitted for your perusal, at the conference referred to, on the subject of the proposed extension of the time stipulated by treaty for the opening of certain cities and ports in that empire. I enclose for your information transcripts of these replies, and avail myself of the occasion to offer to you renewed assurances of my high consideration.

WILLIAM H. SEWARD.

BARON VON GEROLT, *&c., &c., &c.*

AUSTRIA.

Mr. Seward to Mr. Motley.

No. 9.]

Department of State,
Washington, January 10, 1862.

Sir: Your despatch (No. 2) of November, no day named, has been received.

The account you give of your reception by Count Rechberg, and also of your audience with the Emperor, is exceedingly gratifying.

The observations made by you on those occasions were, in the main, very just and apposite, and we cannot doubt that they will produce good effects.

Events crowd each other, and the question raised in a despatch gives place to a more urgent if not more grave one before the reply can be received. I have directed a copy of the general diplomatic correspondence of the year, a copy of the correspondence on the Trent affair, and, finally, a copy of the correspondence between Count Rechberg, Mr. Hulsemann, and myself, relating to the same subject, to be transmitted to you.

These papers will give you all that is understood here of our relations with foreign powers at the present moment, and will enable you, perhaps, to anticipate the future as well as we can.

Our arms continue to be steadily successful, and when we shall have completed our financial arrangements I trust that the cause of the Union will become as hopeful as it is just.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. Lothrop Motley, Esq., *&c., &c., &c., Vienna.*

Mr. Seward to Mr. Motley.

No. 12.]

Department of State,
Washington, February 17, 1862.

Sir: your despatch of January 20 (No 3) has been received.

I am very glad to learn that our disposition of the Trent affair is regarded with so much favor by the Austrian government and in the diplomatic circle at Vienna.

We have not been insensible to the impatience which you describe as existing in Europe for a speedy termination of our unhappy civil war, and to the possible danger of foreign intervention if it should be unreasonably protracted.

It has seemed very obvious to me that this foreign impatience is most unreasoning and most unjust. Yet I have felt no disposition to complain of it. It was only a reflex of the same popular impatience exhibited in our own country. In Europe it is naturally enough aggravated by the absence of those weighty political interests which at home have so unavailingly counselled prudence and patience in a conflict in which not merely partial or temporary interests are involved, but in which the national integrity and even the national existence are at stake.

Military and naval successes, however, are in good time rewarding the careful and elaborate measures of the government. Popular apprehension and distrust have already vanished before these triumphs so signally indicative of the complete restoration of the national authority, and we may therefore justly expect similar results in Europe. The toleration that could not be allowed there to a republic that seemed unfortunate, will perhaps not be denied when it is seen that it can, when it becomes necessary, defend itself with powers surpassing those of a limited monarchy or despotism. Under no other form of constitution could any nation have encountered with so much resolution and vigor a revolution so formidably instituted for the extension of human slavery. Perhaps just now, in the light of our more cheering prospects, this extraordinary feature of our cause may again be recognized in Europe.

I am,sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq. &c., &c., &c., *Vienna.*

Mr. Seward to Mr. Motley.

[Extract.]

No. 13.]

DEPARTMENT OF STATE,
Washington, March 4, 1862.

SIR: Your private and unofficial note of February 1 has been received, though not until this very late day.

In regard to the condition of our affairs in Europe, it may, perhaps, upon the whole, be considered fortunate that the Trent affair occurred, even with all its exasperations. Passion is as natural a condition for nations as for individuals. Secession is a popular excitement, disturbance, passion. It must needs have occurred here, for this country had submitted itself to the counsels of prudence and reason, in regard to disputed points of administration, as long as even so very practical a country as this is could submit. Human nature, it is now seen, could be content no longer. It was needful that the new popular passion should culminate before it could be expected to subside, and to do this it must have time. As no one could tell how high the passion must rise, so no one could tell how long it would require for culminating. The culmination would be the point of danger, the crisis. All other nations being in some sort related to us, must be affected by the passion which disturbed us. The more intimately related, the more profoundly they must be disturbed. Great Britain and France, most intimately related, must be the two states most vehemently excited. Excitement would rise later in those countries than here, and would subside more rapidly. The culmination at home or abroad could be hastened or delayed by accidents. The Trent affair was such an accident. It has served to bring on the crisis. The crisis has been reached and passed at home, and, of course, abroad. Reason is beginning to regain its control here, and with it the government is beginning to recover its authority. We are having, and we shall continue to have, successes at home, and so we may reckon on peace abroad.

I send you a copy of an instruction I have given to our representatives in London, Paris, and Madrid, concerning the new aspect of the Mexican question * * * * * * * *

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., *&c., &c., &c., Vienna.*

Mr. Seward to Mr. Motley.

No. 14.]
DEPARTMENT OF STATE,
Washington, March 10, 1862.

SIR: Your very interesting despatch of February 12 (No. 4) has been submitted to the President.

The just and generous sentiments expressed by Count Rechberg, concerning the unhappy domestic contest in which we are engaged, are welcomed by us with sincere satisfaction. That satisfaction is enhanced by the fact that the friendship now expressed, when it may be seen that we are beginning to emerge from these troubles, is remembered by us to have been expressed with equal frankness and fervor at former periods, when many other powers seemed to assume that our struggle to save our country and its precious institutions from destruction was hopeless.

The views you unofficially expressed concerning the intervention of Spain, France, and Great Britain in Mexico seem to me to be very just and wise. As Austria has not been a party in this intervention, we have not thought it necessary to explain to her the position we have assumed in regard to that transaction, and we do not instruct you to do so. Nevertheless, we have no concealments, and, on the contrary, we desire to practice perfect frankness on that as on all other subjects. The disposition of the Austrian government is now incidentally brought into discussion by authentic reports of a project of the establishment of a throne to be occupied by the Grand Duke Maximilian in Mexico.

You are, therefore, entitled to information of the views of this government, and Austria may desire to know them. For these reasons, I send you a copy of a communication heretofore addressed by us to the allies, which you may, if you think proper, unofficially submit to the perusal of Count Rechberg, if he should express a desire to see it. The House of Representatives has called for the whole correspondence of the government on this subject. A copy will be transmitted to you when it shall have become public here.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., *&c., &c., &c., Vienna.*

Mr. Seward to Mr. Motley.

No. 19.]
DEPARTMENT OF STATE,
Washington, September 16, 1862.

SIR: Your despatch of August 25 (No. 7) has been received. I am not aware that you can give any other answer than you have been in the habit of sending to offers of military service. Propositions for employment as officers, and even overtures to supply the country with volunteers, are now being made to the President in all parts of Europe. He appreciates and is grateful for them. They reveal the fact, contrary to the assumptions of even the most careful foreign observers, that all Europe is not prejudiced against and hostile to this representative republic in its struggle for self-preservation and for free government. Practically, however, such offers cannot be accepted; our own laws do not authorize, and international law forbids, the President to enlist men for military purposes in foreign countries. There is no deficiency of officers, though too many who are in commission seem to be inefficient. The inability of foreign military gentlemen to speak the language familiar to the army has prevented even meritorious gentlemen of that class from attaining positions they have very properly desired, and from rendering the services they so cheerfully tendered All the requisitions for soldiers which the President has hitherto made have either been filled, or are being filled with promptness and alacrity, from among the resident population of the country. Such large draughts upon the population have, indeed, produced a sensible diminution of laborers in the classes of artisans and manufacturers; the prices of labor in every department have risen; and as there has never been any other country where industry was so well rewarded as in the United States, so those rewards are now greater than at any former period in our history. It is not unlikely that any immigrants who may be attracted by these inducements will find vacancies in the army if they shall prefer military to civil pursuits. But the government cannot stipulate for their employment either in the one form or the other. It is, however, willing, and even anxious, that those inducements shall be understood; because, first, the country would derive important advantages from immigration at the present moment; and because, secondly, it offers to suffering populations in Europe an escape from the evils of poverty and famine.

The course of the war, after the close investment of Richmond, was not auspicious. The large volunteer armies of the United States down till that time prosecuted a vigorous and very successful, though a very extensive and elaborate, campaign. But that campaign involved a waste of numbers and means which had not been foreseen, and for the repair of which no provision had been made. The people had begun to assume that the war was coming to a close, and were applying themselves with renewed energy to their industrious pursuits. The army before Richmond, and all the other armies, suddenly called for re-enforcements; but recruiting had either been suspended or enlistments had entirely ceased. The needed re-enforcements were not forthcoming, and it seemed as if they could be raised only with great difficulty and delay. At that very moment the insurgent army was filled by a very sweeping and energetic conscription. It soon became manifest that the insurgents understood the relative condition of the respective military forces.

They projected and prepared an aggressive campaign against not only this capital, but also the loyal States of Maryland, Pennsylvania, Ohio, and Indiana, while yet our forces were in the very heart of the revolutionary region.

In this emergency the public mind became deeply disturbed and painfully apprehensive. Although it might have been seen that for a short time at least the attitude of the loyal States must be a defensive one, and must continue so until the national forces should be largely augmented, and the new levies should become effective, it was urged upon the President, as a necessary expedient, to meet the crisis with some form of Executive manifesto, or declaration of a purpose to wage the war with great vigor and with new rigors in the insurrectionary States. He thought, on the contrary, that mere declaration of ulterior purposes and designs in a future and distant campaign, while the armies were at the moment retreating towards their bases, would not be calculated to repress the treason or to repel the threatened invasion. The means which he adopted in the emergency were a requisition for six hundred thousand volunteers, with the alternative of a draft if necessary; the bringing together and consolidating of the two separated armies in Virginia upon a line in that State in which they could, in case of need, be the defence of the capital; the augmentation of this consolidated army and of the other national forces, and the placing them in such a position that while we should still retain all the important positions we had already taken, we should be prepared to roll back the threatened tide of invasion, and begin a new campaign on the coast or the Mississippi and in the passes of Western Tennessee. The reverses at Richmond were followed to some extent by the disasters which had been apprehended. The army of Virginia, before it had practically absorbed the army of the Potomac was beaten by the insurgents, and driven back upon the fortifications of this capital. They then proceeded to the fordable passes of the Upper Potomac, crossed the river, occupied Frederick, a quasi capital of Maryland, and invited the people of that State to rise in arms and join the pretended confederacy. While at Frederick they menaced equally this city, Baltimore, and Pennsylvania. In like manner they spread small parties through Kentucky, everywhere raising the disaffected in the rear of General Buell, and marched towards the Ohio river, threatening Cincinnati with invasion. The pretended congress of the insurgents met and solemnly approved this aggressive policy, cheering their traitorous supporters with threats of inflicting all the calamities and horrors of invasion upon the people of the loyal and so-called free States. It was thought that this invasion would alarm and confound the loyal States, and at least induce a recognition of the insurgents by foreign nations. Thus the aggressive policy was inaugurated by the insurgents with an audacity that even lent to it an apparent prestige of success. But in this case, as in others, the bow stretched beyond its power of tension has broken.

The new levies came, and are coming in with alacrity. One hundred and fifty thousand of them are already in the field, and as many more in camp.

The prompt massing of a force of seventy thousand loyal troops at Cincinnati disconcerted the plans of invasion in the west, and the insurgents are reported to be retreating. General McClellan rapidly organized a new army here, followed the invaders into Maryland, and gave them battle, and defeated them on the 14th. They are leaving that State undisturbed in her loyalty, and Pennsylvania is relieved from all fears of invasion. It is supposed that these bold and baffled movements of the insurgents have impaired their strength, and taxed their resources severely, while it is thought by our military authorities that the resources of the Union are adequate, as its credit seems to be, to all the exigencies of a vigorous and decisive conflict.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. Lothrop Motley, Esq., *&c.*, *&c.*, *&c.*

Mr. Motley to Mr. Seward.

[Extracts.]

No. 2.]

Legation of the United States,
Vienna, November —, 1861.

Sir: I have the honor to acknowledge the receipt of your despatches Nos. 1 to 8. Copies of Nos. 2, 5, and 6, relating to my predecessor, Mr.

Jones, and commending his management of the affairs of the legation, were immediately forwarded to that gentleman. I am happy to bear my testimony, also, to his fidelity to the Union, as manifested in all his conversations with me. * * * * * * * *
I am happy to state, also, that Mr. Jones received me on my arrival with the greatest frankness and cordiality, and did everything in his power to facilitate my induction to office.

I arrived in Vienna October 31. On the 3d of November, according to appointment made by Count Rechberg, minister of foreign affairs, in reply to my note requesting an interview, addressed to him the morning after my arrival, I called on that gentleman at his office, accompanied by my predecessor, by whom I was introduced to the minister. Mr. Jones then took leave of Count Rechberg, who assured him that the intercourse between the government of the United States and of Austria, during the period of his mission, had been most satisfactory, and that his Majesty's government were very sorry to part with so excellent and friendly an envoy as he had proved himself to be. He was kind enough to add that, as it was decided to make a change in the mission, they were very glad to receive me as his successor, and that he doubted not that I would do my best to maintain the friendly relations between the two countries which now so happily existed. Mr. Jones then left the room, and I had a long conversation with the minister. He repeated, with emphasis, that the news of my appointment had been received with especial satisfaction by the Emperor and his government, and that I was already well known to them by reputation. He added other observations, personally complimentary, which I do not repeat; but I think it necessary to inform you, even at the risk of being charged with egotism, that my reception by the minister was extremely flattering. At a moment when the leading public journals of many nations are full of vituperation of our country, and of undisguised hilarity at what is thought and hoped by a large portion of the European world—English, French, and German—to be the downfall of the great republic, and when the emissaries of the rebel confederacy are knocking at the doors of foreign powers for admission, and doing their best to poison public opinion as to the character of the great war in which we are engaged, I consider it important that the administration should be informed that its representative here has thus far met with as much courtesy and consideration as could be extended to the minister of any foreign power.

Count Rechberg spoke very freely of American affairs, and seemed to appreciate the complications of our position in regard to slavery. To defend the institution, he said, was a matter of life and death to the slaveholders. I told him that the institution, where it legally existed, to wit, in the fifteen slave States, had not been attacked, and that Congress, at its last session, had affirmed that which could hardly be seriously disputed by any one, namely: that Congress had no constitutional power to interfere with the domestic institutions of the individual States. The Presidential election of last November, I told him, had, however, decided the question as to slavery in what might be called our colonies or dependencies. A majority of the voters in the free States had proclaimed to the world, in the election of Mr. Lincoln, that the normal condition of our territories was that of freedom, and that no power existed to give legal existence to slavery in any territory of the United States. In regard to those territories, half as large as Europe, Congress had power, by the Constitution, to dispose of them, and to make all needful rules and regulations concerning them; and as the vote taken in November proved that Congress would henceforth deal with that common possession of the Union as free soil, and not slave soil, the slaveholders went to war with the United States government with the avowed determination of destroying it, and of substituting their new constitution, with slavery for its corner-stone, over all the States. The war which they had levied was in execution of their previous threat that they would destroy the Union should a candidate nominated on the republican platform be elected. The United States government was engaged in a war of self-defence, and would have been despised of all men had it not accepted the wager of battle offered by the conspirators against its very existence. I also explained that the word secession was a sham, for the object had been originally to secede in order to reconstruct. The utmost confidence had been expressed by the emissaries of the conspiracy in Europe that all the States, except New England, would accept the new pro-slavery constitution before the end of the year. They had not reckoned on the support given by the democratic minority in each free State to the republican majority. They had relied on distraction and division, and had found unanimity. Now they were doing their best to represent themselves as engaged in a holy war of self-defence, and to persuade the world that their only object in destroying the republic was to inaugurate free trade, and to rid themselves of the hostile tariffs imposed by the north. To those of us who know the recent history of the country, nothing could be more ridiculous than such pretences. The only free trade the confederates cared for, I said, was free trade in African negroes, and that branch of industry was sure to be reopened on a large scale as soon as the confederacy was established. For the present the scheme was denied, even by those who had been loudest in its favor, because it was necessary to throw dust in the eyes of Europe on the one hand, and to conciliate the negro-breeders of the border States on the other.

I took pains to go very fully into these matters in my first interview with the minister, because I doubt if he has ever before heard any such exposition of our polity, and because it seems so difficult for the European mind to comprehend the distinction between a constitutional and lawful prohibition of any further extension of negro slavery in America and an unconstitutional and precipitate proclamation of universal abolition. The efforts of such journals as the London Times and other organs of the slaveholders have hopelessly confused the issues in this respect. He asked me what would be the fate of slavery in the States as the war went on. I told him I did not know what would be the ultimate policy of the administration; but of one thing I felt convinced, that there was no possibility of retreating or flinching on our part. The whole people of the free States, with a considerable portion of the southern population, were determined that the Union should stand. If it came at last to the issue shall the republic of the United States of America die, or shall negro slavery die, it would not be the republic that would perish. Thus far we felt confident that we could suppress the insurrection without resort to the extreme measures which the war power placed within our reach, and the possibility of negro insurrections and massacres, as the result of violent and sudden emancipation of the slaves, was a terrible thing to contemplate. If such catastrophies did occur, the guilt was on the heads of the slaveholders, who, in their insane fanaticism for their peculiar institution, had aimed this wicked blow at the heart of our common country; had plunged the land in war and desolation, and were thus doing their best to destroy from the face of our whole country everything for which civilized man has respect or affection.

Count Rechberg agreed with me that the insurrection was most unjustifiable, and that the United States government was bound to do its utmost to preserve its existence. He said he knew that our resources were greater, and our population more numerous, than those of the confederates, but he feared that a war of invasion and of conquest would prove a very difficult enterprise. I told him that it would be so if it were the case of a foreign nation carrying war into the territory of its enemy; but that the United States government were as much at home in Georgia and Louisiana as in New York or Illinois, and that he must not accept too hastily the conclusions of our English enemies as manifested in the leading journals; that every feeling of attachment to the flag, and of pride in our nationality, was extinguished in regions where these sentiments so short a time ago were intense. Our whole action proceeded on the theory that the national sentiment, surprised and suppressed by armed and desperate treason, would revive where it could be protected. America was too impatient, and Europe was still more so. An army could not be created in a few months. It was much to inspire pride and confidence that the men and money had been supplied by the people to an unlimited extent. Time, skill, and labor were necessary to construct out of these materials an army; but that when the time, skill, and labor had been applied, an invincible army would be the result. We were in no hurry; if the rebels could wait, so could we. It was to be hoped that popular impatience would never succeed in bringing about another Bull Run; and that, for my part, I felt convinced that the people would wait patiently for the development of the plans of the administration, aided by the skill and energy of General McClellan and his able supporters.

He alluded to the blockade, and to the great suffering caused in England and France by the want of cotton, and expressed some doubts as to the continuance of the forbearance of those governments in this respect. I told him that I had recently had very long and full conversations with Lord John Russell on the subject, and that I was perfectly sure, from a long and intimate acquaintance with that statesman, that he was sincere when he assured me, as he had done, with earnestness, that there was no disposition on the part of the English government to interfere with us in any way: to infringe our blockade, one of the most undeniable of belligerent rights, would be an unjustifiable act of hostility on their part, and one which they were incapable of committing. I told him that I had received similar assurances from other members of the English cabinet, and that I was confident, so long as the present administration held their places, that there would be no hostile action on the part of England. Should the tories succeed to power we might have trouble. There would be much big talking in Parliament, no doubt, next winter, and, I feared, in Congress also; but that I still felt convinced that by no act of ours, or of the present English government, would the confederates be supplied with such powerful auxiliaries as the fleets and armies of England would be for them.

He asked me what I thought of the attitude of France, and I told him that M. Thouvenel had assured me, in a recent interview, as strongly as words could give such assurance, that there was no thought on the part of the imperial government of interfering with our blockade, or of committing any other unfriendly act towards us.

It was arranged by Count Rechberg that an early day should be named for the ceremony of presenting my credentials to the Emperor. In the interval I paid the usual visits to the various members of the diplomatic corps, by all of whom I have been received with the utmost cordiality. Lord Bloomfield, the English ambassador, gave a dinner to Mrs. Motley and myself, at which the new French ambassador, Duc de Grammont, the Belgian minister, the Bavarian minister, the Swedish minister, the Danish minister, the Saxon minister, and others, were present. I may mention, too, that more than one person took occasion to express the warmest sympathy with the cause of our government and of the north. We met with nothing but civility and good wishes on all sides; but I cannot say that confidence is expressed in any quarter as to our ultimate triumph. Our deeds must speak for us and, in order that our deeds be really telling, they must not be too hasty. This is the language necessary to hold in Europe, and I trust it will be verified by the event.

On the 14th November, according to a notification received three days before from Count Rechberg, I proceeded to the imperial palace, and was received by the Emperor. Mr. Jones, my predecessor, had, on the same day at an earlier hour, presented his letter of recall. The Emperor received me quite alone, and, so soon as I had presented myself, I made him a short complimentary harangue, assuring him that the President, the government, and the American people desired to maintain the most friendly relations with his Majesty and the Austrian empire, and that it would be my object, so long as I occupied my present position, to do my best to cultivate kindness and good will between the two nations.

He answered in a similar strain; expressed his gratification at my appointment, and assured me that there was every disposition on his part and on that of his government to cultivate the friendship of the United States, and to maintain the present agreeable international relations.

After these formalities had been finished, the Emperor engaged in conversation with me. As I had made my address to him in German, he had responded in that language, and thus continued the conversation. His first question was, are you a German? I told him, no; but that I had been much in Germany in my youth, when I had acquired the language. He then added, but you are of German birth and parentage. I said, no; that I was descended of the early pilgrims of New England, and therefore of entirely English extraction. Again, I have to observe that I do not state this from egotism. The Emperor obviously did not ask the question for the sake of paying a compliment, but because he was curious, even anxious, I thought, to learn whether or no I was a German exile, returned in diplomatic character to these regions, and he seemed relieved by my reply.

He then asked many questions about America, opening at once the subject of the war, and manifesting much intelligent curiosity in regard to its causes and probable results. I was glad to have so early an opportunity of conversing with his Majesty on this important subject; and from the nature of his questions I should infer that the great topic of negro slavery had never been presented to him in the light in which it is at present regarded at Washington. I said that the great cause of the war was slavery; that the seceding States had revolted, and were doing their best to destroy our national existence, because they were no longer to be allowed to extend the institution to regions where it did not exist. He almost hesitated when he expressed the opinion that after all, at the present day, the extension and perpetuation of negro slavery were hardly commendable aims for an enlightened government, in which sentiment you may suppose that I expressed my hearty concurrence. It is highly probable that the nature of our polity and the probable tendency of our history have been formerly represented to the imperial government in different colors from those in which I endeavored to depict them. So long as I have the honor to represent the United States, I shall certainly omit no occasion to convince those with whom I may converse that the extension of African slavery is not the only legitimate aim and object of a free government, and that the American republic neither intends to pursue those ends any longer nor to abdicate its place among the nations as a penalty for abstaining from that pursuit. The Emperor expressed surprise that the confederates were able to maintain so large an army as they were reported to have on foot; but I warned his Majesty that those armies were not to be regarded as having much resemblance in equipments, discipline, or the cohesive qualities, to the armies of Europe, and that a day would come when they would melt away faster than they had rolled together. On the other hand, I ventured to predict that every day would see the United States government growing stronger. We could afford to wait, and our greatest danger was in haste. He observed that he was quite aware of the strength and great resources of the government and of our superiority to the enemy, and expressed considerable confidence in the issue.

I shall not weary you with any more details of my interview with the Emperor. As he manifested much interest in American affairs, and asked many questions, I was of course the principal speaker, and found myself engaged, somewhat to my surprise, in delivering a regular lecture on American politics. As the discourse, however new in the imperial palace of the Hapsburgs, would not have the charm of novelty in your ears, I forbear to add anything more. But the department may be sure that I preached sound doctrine.

I say nothing to-day of Austrian politics, concerning which my predecessor has kept the government well informed up to the present time. I am quite aware that, at this moment, the pre-occupation of the United States government with its own most momentous affairs would make any disquisitions upon foreign matters, not bearing directly on our international relations, tedious and irksome. Nevertheless, as the condition of this part of Europe is so critical, and as the position of this empire offers so many curious parallels and contrasts with that of our republic, and as a complication of our own politics in the great web of intrigue now stretching over all christendom is at least possible, I shall observe the current of events carefully, and from time to time ask for the attention of the government, even at the risk of being thought tedious.

One thing is very certain: The government here will be much influenced by the course of policy pursued towards the United States by the British and French governments; and I am therefore glad that, in pursuance of your instructions, I passed some time before coming to my post, informing myself at the fountainheads, in England and France, of the probable nature of that policy. I am constantly questioned on the subject by all with whom I come in contact. Should a tory government succeed the present cabinet of England I anticipate much trouble. Nothing can exceed the virulence with which the extreme conservative party regard us, nor the delight with which they look forward to our extinction as a nation. They consider such a consummation of our civil war as the most triumphant answer which could be made to their own reform party. The hatred to the English radicals is the secret of the ferocity and brutality with which the Times, the Saturday Review, and other tory organs of the press, have poured out their insults upon America ever since the war began. In the present administration and its supporters I know that we have many warm friends, warmer in their sentiments towards us than it would be safe for them in the present state of parties to avow.

I have the honor to remain, very respectfully, your obedient servant,

J. LOTHROP MOTLEY.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Motley to Mr. Seward.

[Extract.]

No. 3.] LEGATION OF THE UNITED STATES,
Vienna, January 20, 1862.

SIR: No despatches have been received from the Department of State at this legation since my last.

The purpose of this brief communication is simply to express my sincere congratulations upon the able and honorable manner in which the dangers created by the Trent affair have been averted. I have not thought it a part of my duty to obtrude my reflections or my advice upon the government while this matter was pending. Even had the administration required assistance from abroad—which, as the event has proved, it did not—there were not wanting able heads and hands at London and Paris to communicate everything of importance in the way of counsel or information. Nor do I desire, now that this momentous affair is so fortunately terminated, to occupy the time of the department with any reflections of my own.

I will merely state, therefore, that during this anxious period of suspense—during the six weeks which have elapsed between the arrival of the news of the arrest of the commissioners and that of their liberation—I have held, without wavering, one language in all my communications with the members of the government here, and with the representatives of foreign powers, that our government would do all that was possible, in honor and in consistency with international law, to avoid a rupture with England. I have always taken the ground that our whole history showed us to have been uniformly the champions of the rights of neutrals and of the largest liberty of the seas, and that I could not imagine, under so trivial a temptation, that we were now likely to abandon our most cherished principles, in exchange for the violent and lawless practice too often pursued by England, when belligerent, to ourselves and other powers, when neutral. I knew that the administration of our affairs was in the hands of upright and sagacious statesmen, and I constantly expressed the hope that their treatment of this untoward event would signally put to shame the unjust and venomous spirit by which the English press, with a few most honorable exceptions, has been characterized. I take pleasure in saying that the English ambassador here, Lord Bloomfield, was as unaffectedly sincere in his desire for an amicable settlement of the affair, and as magnanimous and courteous in his attitude, as the best friend of either country could desire. I may add that all my colleagues manifested the greatest anxiety that peace should be preserved, although it was very difficult for me to inspire many of them with much of my confidence that this fortunate result would be secured.

In regard to the imperial government of Austria, you have already been informed of their views by the letters of Count Rechberg to his Majesty's representative at Washington, of December 18. I had one or two interviews with the minister during the interval of suspense, and took occasion to express, with much energy, my confidence in the pacific intentions of our government. Count Rechberg, while enlarging with fervor on the calamitous results to the world of a rupture and a war between the United States and Great Britain, stated his doubts whether our government was strong enough to resist the popular pressure, or bold enough to confront the popular passion, by firmly maintaining the law, even at the risk of what might seem like concession. I told him that the Americans were a reasonable and law-abiding people; that, if they were convinced the demands of England were founded in justice and reason, and were not accompanied by menace, they would sustain their government in every honorable concession. The picture of the United States government overborne by a tumultuous, violent, uneducated, and unreasoning mob had been painted by hostile and foreign pencils, and the model did not exist in nature. So soon as the result had so amply justified the predictions I had ventured, I had another interview with Count Rechberg. The minister, in very warm language, expressed his satisfaction at the pacific termination to this affair, and begged me to convey to the President and to yourself his most sincere congratulations and thanks for the able, temperate, courageous, and statesmanlike manner in which the government had borne itself throughout these trying circumstances. Especially he commended the concluding despatch of the Secretary of State to Lord Lyons.

Lord Bloomfield, too, expressed to me his deep satisfaction that the danger of war between the two nations had been averted, and his hope that more amiable relations than ever might succeed to this mutual misunderstanding. Nearly every one of my colleagues here have expressed themselves to the same effect and in the strongest terms, and all compliment and congratulate the United States government upon the prudent and honorable course which it has adopted. These expressions have been so spontaneous and energetic that there can be no doubt of the feeling of relief which is experienced in this part of the continent by the removal of the impending danger. The reasons why the government here should deprecate a great maritime conflict between the United States and Great Britain, with its inevitable results in Europe, are too obvious to need comment. Moreover, the consequence of this affair has been to draw from the great powers strong vindications of the rights of neutrals and of the freedom of the seas, always cherished by the United States when neutral, and it is the general feeling that a victory has been gained for humanity and civilization by the issue of the Trent affair. It may be confidently asserted that there is no true friend to America nor to humanity that does not sincerely rejoice in the decision of the President.

You are too well acquainted, through your able representatives in England and France, with the state of public feeling in those countries to require any allusion to it on my part. Nevertheless, as I maintain a constant private correspondence with influential persons of various parties in England, I may take the liberty of stating that the cause of our government is strengthened in public opinion by the recent events. The idea which has been so carefully planted and nurtured in England, that our government desired to force that country into a war, in order to escape from a dilemma at home and to cover our incapacity to deal with the southern insurrection—this idea, which to our minds seems like the weak delusion of a sick man's brain, has taken possession of a considerable portion of the English population. Profligate and unscrupulous writers and speakers have done their best to perpetuate the delusion, until it has become almost an article of the national creed. The conduct of the United States government in the Trent affair has, as I am assured by eminent persons in England, done much to dispel the fiction. In regard to the British public, no doubt there is a considerable and influential portion which cordially detests the United States, its institutions, its government, its people, and earnestly desires its downfall. Among this portion there is a less numerous but a noisy and ferocious faction which is anxious for a war with us, and will make the most of every pretext, as they have already done of the Trent affair, to precipitate hostilities and to throw the weight of the English nation on the side of the slave confederacy. These are not theories, but facts within my knowledge. The slaveholders have many warm partisans in England and France. On the other hand, there are many in England who do not love us, but who, for selfish reasons, would deprecate hostilities, if they can be honorably avoided. And, again, there is a large, powerful mass who warmly sympathize with our cause. The anti-slavery feeling in England is so strong that it has been necessary for the southern partisans to persuade the British public that slavery has nothing to do with the American civil war, and this ridiculous notion has found many believers in Europe. It is gravely asserted, by many who pass in the world for reasonable beings, that the secession was brought about by southern opposition to tariffs and by the love of free trade! It is superfluous to say that the victims of this delusion see in the recognition of the slaveholders' confederacy an additional expansion for English markets, combined with the weakening of a hated rival.

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I have the honor to be, sir, your obedient servant,

J. LOTHROP MOTLEY.

Hon. William H. Seward,
Secretary of State.

Mr. Motley to Mr. Seward.

[Extract.]

No. 4.]

Legation of the United States,
Vienna, February 12, 1862.

Sir: Yesterday I had a long and interesting conversation with Count Rechberg at the foreign office. He asked me what was the latest intelligence from America. I spoke of the recent victory of the national troops near Somerset, in Kentucky—news of which, with but few details, reached us two or three days ago—observing that the movement seemed to be part of a general plan to surround and crush the insurrection on land, even as it had been already shut off from the sea by a stringent blockade along three thousand miles of coast. I intimated that the weather, rendering the roads in Virginia almost impassable at this season, would probably delay for a few weeks our operations against the main body of the confederates, now intrenched in the neighborhood of Manassas; but that the expeditions along the southern coast, the movements in the direction of Tennessee and the Mississippi valley, seemed indications of a plan to be developed before long on a large scale. We had been bringing our armies into a state of discipline, and providing ourselves with the necessary machinery to bring the war to a decisive issue when we once began to strike, and I assured the minister that I felt perfect confidence in the cabinet and commander-in-chief, the army, and the national spirit. Men, money, and munitions of war were in superabundance. If I felt any apprehension, it arose rather from the general impatience, not only in America, but in the world, that some result should be reached. I said that the impatience seemed to me most unreasonable, for, after all, six or seven months of discipline for an army of such colossal dimensions was but a very short allowance. The minister said, energetically, that this was, indeed, but a very brief space for bringing an army, even of the best raw material, into training, and that it was almost impossible that a really disciplined force could be created in so short a time.

He then observed, spontaneously, that he and the Austrian government felt quite certain of the result. It was impossible, he said, that the insurrectionists could provide men enough or money enough to contend for any great length of time with the United States power. The shorter or longer period which would elapse before they were reduced to obedience must depend on the ability of our generals, but he could not doubt that the government would be ultimately re-established over the whole country. I think that, as nearly as possible, these were the minister's words; and throughout his whole conversation the sympathy and good will of the imperial government for our cause was unequivocally manifested.

There was no hint dropped on behalf of that government of preserving an even balance of sympathy between both belligerents in America, of maintaining a strict neutrality of sentiment, and of cherishing an equal friendship for both parties. On the contrary, the professions of friendship and esteem were for the United States government in this the hour of its trial. The sympathy expressed was for the established, constituted, friendly power, bound to Austria, as to other European governments, by treaties of amity and commerce, and now putting forth all its strength to vanquish a causeless rebellion which had brought bloodshed and desolation over a continent.

I expressed my gratification at the friendly language used by the minister, and I assured him that his expectations would be justified by the result. The insurrection, I told him, would soon prove to be a bad speculation. It had been founded on the idea that foreign intervention—especially that of France and England—was inevitable, and that the south, by means of its cotton crop, held the power of life and death over both those countries. It had now been demonstrated that this intervention was not to take place, and that cotton did not reign supreme over the councils of the world. After the Union troops had penetrated into the interior of the seceded country, and overcome the confederates in a few decisive contests on a larger scale than that of Somerset, the counter-revolution would begin, and men, whose mouths had been closed by violence during the reign of terror, would proclaim lustily that they had always been Unionists, and would rise in revolt against the men by whom they had been deluded or forced into crime. It was not the case of invasion by a foreign army. No foreign nation could conquer the south or the north. There was no resemblance between our operations and the attempt of an invader on a foreign soil. The United States government was at home on every inch of its own territory, and to sustain itself against this wanton insurrection against its benignant and legitimate authority, it relied confidently on its own overwhelming force, supported by the latent loyalty of a majority of the inhabitants of the States which had seceded. The time would soon come when this theory, scouted now by our enemies in Europe who wished the downfall of the great republic, would prove itself to be an unquestionable fact. The United States government would remain and be respected when the names of those who had brought all this misery upon our country had sunk into dishonored obscurity, and the ravings of their European sympathizers had been utterly forgotten. It would one day awaken astonishment that a general opinion should have prevailed in the world that the American republic was powerless to preserve its national existence, because when taken by surprise, by a treason utterly without a parallel in human history, it had been held at bay for a twelvemonth, more or less, while preparing for its defence. I shall not occupy any more of your time with the arguments, so familiar to all loyal minds in America, with which I sought to strengthen the conviction already existing in the minister's mind as to the justice and the favorable aspects of our cause. I am happy to say that nothing could be more friendly or satisfactory than the language which he held.

Something he said of the danger of our becoming a military power, and remaining no longer a peaceful republic. I said this was a very improbable result, for we were, by nature and habit, a peaceful, commercial people. Our commercial marine, nearly the largest in the world, would require us to maintain in future a stronger navy than hitherto, but as we had ever supported neutral rights against the maritime preponderance of England, this would be an advantage to all other naval powers, and especially to the modest mercantile marine of Germany. It was clearly their interest that our naval strength should be increased. In case, however, the Union were hopelessly broken into two or more rival confederacies, then, indeed, we should become of necessity a military power—strong standing armies and navies would be indispensible for domestic and foreign defence. *Now* these great armaments were but a levy of bucklers of the whole people. It was not an army—it was a nation in arms. This was, necessarily, a passing phenomenon. When the Union was re-established we should resume the peaceful tenor of our lives. The young men who had flocked by hundreds of thousands to the national standard came from every pursuit of life, and would return to them when the danger was over. They had taken arms to defend a beloved country against traitors, not to engage in the military profession.

He spoke with hearty commendation of your correspondence with the Chevalier de Hulsemann in regard to the questions raised by the Trent affair; and, indeed, I have already had occasion to mention to you the strong language of approbation and congratulation with which he alluded to the issue of that affair so soon as it became known to us in Europe.

I observed that perhaps it might hardly seem fitting that anything should be said between us just now about the Mexican matter. On the contrary, said he, I am quite ready. I then replied that I had nothing to say on the subject at present; that the remarkable turn the affair was taking was unknown in America by last advices, and that I was, of course, without any instructions with regard to it. He said we are ourselves simply in a position of expectancy. The three maritime powers had made an expedition to Mexico. We have nothing to do with it, and intend to have nothing. Should the result of the enterprise be to establish a stronger government in Mexico, a monarchy, it will then be for the Austrian government to consider whether sufficient guarantees of various sorts as to its stability can be offered in order to induce an archduke of our imperial house to make the great sacrifice of mounting its throne.

I think, as nearly as possible, these were the minister's exact words. I have already mentioned to you, in a private letter, that it is quite certain that the Archduke Ferdinand Maximillian had been consulted by certain Mexican refugees—Almonte, Estrada, and Gutierez—at Trieste, on this matter, and that the Emperor of the French was in favor of his candidacy. Thus far the subject is *in nubibus*—the new Mexican throne is in the misty future—and Austria has only agreed that the archduke shall ascend it, if proper securities be offered.

I made no reply to Count Rechberg's observations. He then asked me if I thought there would be opposition to the scheme in the United States.

I said that, as he asked me the question, I had no hesitation in answering as a private person, not officially, that I thought the opposition would be universal and intense. He asked why? I gave two reasons: First, the American people, abstaining from European politics, have always had a strong feeling in regard to European interference with political arrangements on the North American continent. Secondly, the republican form of government was the hereditary one over the greater part of our continent, and attempts to supersede it by monarchical forms, by means of force, would be regarded both by the lovers of progress, and by more conservative parties, as revolutionary, unphilosophical, and mischievous. He asked if the monarchical form of government was considered so objectionable in America. I said, unquestionably *for America.* Whatever might be the case in Europe, with us there were absolutely no materials for monarchy. And in Europe, said he, there are no materials for a republic. Then, I replied, you can easily perceive the revolutionary shock to men's ideas which would be communicated by the sudden creation, on our frontier, of a foreign monarchy by foreign arms. Suppose that the United States, acting in concert with another powerful American republic, if such there were, should, on pretext of debts owing to their citizens, or flagrant wrongs committed against individuals through an unsatisfactory condition of the local administration, suddenly invade some weak kingdom, or portion of a kingdom, in your neighbourhood, reduce its cities and strong places with their armies and navies, without any declaration of war, and proceed to establish a strong democratic republic, for example, on the frontiers of Austria, and in close neighbourhood to your capital or great commercial centres: you would certainly not regard such events with indifference or without alarm. Governments and individuals would be full of suspicion. Men would say, if a great power from the other end of the earth can be permitted to come hither and subvert dynasties, and make radical changes in the political institutions of independent nations, by means of superior military force, there is an end forever to any separate national existence, or to any international law. Every state would henceforth live upon sufferance. The great powers, acting in concert, and making use of brute force, would reduce the world to obedience, and change political institutions at their pleasure.

I said, whatever might be the present condition of Mexico, that I could not imagine that the nation was prepared to abandon the republican form of government and suffer itself to be converted in a European monarchy without a struggle. I had no special means of information, but I thought that, on general principles, refugees were bad counsellors, and rarely represented the feelings of a nation. I should be surprised if a Mexican kingdom could be established, except by force. No doubt the allies were strong enough to crush resistance. But bloodshed and massacre on a considerable scale would, I thought, be necessary to overcome that resistance. I could not believe that the enlightened powers of France, England, and Spain intended the perpetration of a crime, and it seemed to me improbable that the end proposed could be accomplished except by crime. It seemed to me, too, almost impossible that a monarchy thus established, unless constantly supported by foreign bayonets, could maintain itself long. The idea of European monarchy rests upon an established and historical order of things, which are entirely wanting in North America. The feudal system, from which the monarchies and aristocracies of Europe derived their origin, their sanction, and their strength, is unknown in the western world; and the elements out of which it was compounded can scarcely concur again. A foreign monarchy transplanted from Europe would be a tender exotic, and would wither for want of sufficient roots. A territorial aristocracy to surround the throne would seem almost impossible on a continent where land of the best quality can be had, in fee simple, for a dollar or two the acre. In certain portions of our own country a pseudo aristocracy had grown up, founded not on the sword, not on military conquest, nor on vast territorial possessions, but upon a particular and exceptional kind of property, as recognized by special legislation in an unfortunate race of mankind. I did not know whether or not the new Mexican monarchy was to be surrounded by an aristocracy of slaveholders, and in a land where the republic had already abolished African slavery.

Still speaking as a private person, and by no means officially, I took occasion to say that all my feelings and political opinions were strongly opposed to the absorption by the United States of an inch of Mexican soil and that they always had been, and probably always would be, opposed to any annexation, north or south. We had territory enough and a sufficient mingling of races; especially the extension of our frontier any further towards the tropics, together with the admixture of so foreign an element as that of the Mexican population, I considered to be fraught with evil. For my own part, I wished sincerely that the Mexican republic could be strengthened and its administration improved; but I should deplore its conquest, either by our own arms, or those of any European nation.

I have endeavored to give the substance of our conversation as accurately as I can from memory. It was to me an interesting one, and I trust it may be deemed not unworthy of the President's attention and your own. If it is desired that I should say anything officially on the subject at any future day, you will of course instruct me. I believe, however, the scheme in question to be so doubtful, and at any rate so distant, as to make it preferable to leave the matter for the present out of the region of formal discussion.

* * * * * * *

I have the honor to be, sir, your obedient servant,

J. LOTHROP MOTLEY.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Motley to Mr. Seward.

No. 5.]

Legation of the United States,
Vienna, June 22, 1862.

Sir: I have to acknowledge the receipt of your despatches Nos. 10, 11, 12, 13, and 14.

I have to report that the relations of this legation with the imperial royal government continue to be of the most satisfactory and cordial nature.

The steady and victorious progress of our arms in suppressing the mutiny against the United States government commands the entire sympathy of all classes in this country, and is especially hailed with delight by the most liberal organs of the daily press. For political information I beg to refer you to my private letter of this day's date.

I remain, most respectfully, your obedient servant,

J. LOTHROP MOTLEY.

Hon. William H. Seward,
Secretary of State.

Mr. Motley to Mr. Seward.

[Extract.]

No. 7.]

Legation of the United States,
Vienna, August 25, 1862.

Sir: * * * * * * * *

These symptoms of impending storm which all group themselves about the French occupation of Rome, as the disturbing cause, occupy men's minds to the comparative exclusion of that more world-important event—the great American struggle between freedom and slavery. This is viewed on the continent mainly as a cotton question; and as the American government is supposed to withhold the cotton which keeps the European mills going, the sympathy of European governments is mainly against the blockading power.

A cotton famine is supposed to portend possible popular European commotions. Aristocratic journalists and stump orators hardly look deeper into cause and effect than this, and there is a vague idea prevalent that foreign powers, by intermeddling, can put a stop to what they are pleased to call our "wicked and causeless" war. Governments, however, are pretty well aware that foreign interference will only be adding another war to the one already existing. To expect aristocratic or royal governments to feel as the American people feel in regard to this conspiracy of a slaveholding oligarchy against the sovereignty of the people would be unreasonable. The populations sympathize with our cause, and so do the great thinkers and publicists; but politicians would prefer that the great republic should dismember itself quietly in order that Europe should be put to no further inconvenience. They cannot, or will not, comprehend that such dismemberment would result in a chronic condition of war, with disastrous and permanent destruction of European interests. Fortunately, the American people and the American government, who are one, know that they are fighting not only for their own liberties but for the interests of humanity, and the world will one day be grateful to those whom it now most maligns.

I have the honor to be your most obedient servant,

J. LOTHROP MOTLEY.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Motley.

No. 21.]

DEPARTMENT OF STATE,
Washington, October 9, 1862.

SIR: The President has recalled Mr. Canisius, our consul at Vienna, for reasons which are assigned in a despatch addressed to him by this department, a copy of which is herewith sent for your information. You may, if you feel it necessary, explain the subject to Count Rechberg, insomuch as it illustrates the policy of the United States in regard to foreign and friendly nations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN LOTHROP MOTLEY, Esq., *&c., &c., &c.*

DEPARTMENT OF STATE,
Washington, October 10, 1862.

SIR: Your despatch of the 17th ultimo brings a letter which was written by you to General Garibaldi on the first of September last.

I am directed by the President to inform you that your proceeding in writing that letter is disapproved.

First. It is, in its nature, not a consular but a diplomatic act, transcending your proper functions, which is considered the more unpardonable when it is remembered that the United States are represented not only at Turin but even at Vienna, where you reside, by a minister invested with the most ample diplomatic authority, constantly receiving special instructions from this department.

Secondly. Although the proceeding of inviting General Garibaldi to join the armies of the United States may have seemed to you to have been warranted by the fact that this government, a year ago, tendered a command in our armies to that distinguished soldier, yet your proceedings are not at all parallel to those which attended that case. That invitation was given by the President's direct authority, and was not communicated to General Garibaldi until the consent of the King of Italy, in whose service the general then was, to its transmission was obtained by the diplomatic representatives of this country, acting under direct instructions from this department.

Thirdly. In your communication to General Garibaldi you describe his recent movement as a great patriotic work undertaken in the interest of his country, although the fact was known to you that the undertaking had been prohibited by the government of that country, and that General Garibaldi was taken in arms against that government. The policy of the United States, in regard to Italy, is absolute abstinence from all intervention in its domestic affairs. You have taken up an issue between the government and a portion of the people of Italy who had risen in arms against it.

At the present conjuncture, when every care is necessarily taken to avoid injurious complications in foreign affairs, and especially in Europe, proceedings on your part so entirely divergent from this judicious policy cannot be overlooked. Upon these grounds your commission as consul at Vienna is withdrawn.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

T. Canisius, Esq.,
United States Consulate, Vienna.

Mr. Seward to Mr. Motley.

No. 22.]

Department of State,
Washington, November 18, 1862.

Sir: Your very interesting despatch of October — (No. 8) has been received. The portion of this paper which relates to the internal condition of Austria is the more appreciated here because the views which it presents will be quite new to a large part of the American public. They are entirely sustained by the small number of our travellers who are content to sojourn long enough in Austria to inform themselves well concerning its people, their habits and their resources. If this civil war of ours breaks up many a natural illusion which we have fondly cherished, it at the same time is rich in instructions which, I am sure, will not hereafter be hastily forgotten. The dignity, justice, forbearance, and moderation which the royal imperial government has practiced in regard to the unhappy civil war in which we are engaged will be preserved among the grateful incidents of the most critical era in our national life. It will be strange if it do not result in the establishment of a permanent friendship between the two countries. Your observations upon the condition of affairs in this country are very lucid and wisely hopeful.

I give you, for your more particular information, a copy of my despatch of this date to Mr. Adams. It will serve to confirm your faith in the stability of the government.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

J. Lothrop Motley, Esq., *&c., &c., &c., Vienna.*

Mr. Motley to Mr. Seward.

No. 8.] LEGATION OF THE UNITED STATES,
Vienna, October —, 1862.

SIR: Your despatches Nos. 17, 18, 19, and 20 have been received.

No. 17, which is printed and in the form of a circular, relates mainly to the subject of possible intervention in our affairs on the part of foreign powers, and of the probable effects of such a step should it be taken.

It is hardly necessary for me to state that the able and conclusive reasoning of your despatch has my entire approval. You are better able to judge, officially, of the probabilities of such a catastrophe, (for an intermeddling by Europe with our domestic matters can be called by no other name, and could have only the most tragical results,) because there are but two governments in the world that have ever arrogated to themselves the right to discuss the proprieties of such a step. The government of the empire to which I have the honor of being accredited has never hinted at any desire of interference, nor made any ostentatious proclamation of "neutrality" between the government bound to it by treaties of amity and commerce and an imaginary nation, which has no existence, save in the visions of domestic treason and foreign malice.

In spite of the clamor of a portion of the English press and of that fraction of the British public, which is incapable of lifting its aspirations higher than its immediate material interests, I cannot believe, now that the proclamation of September 22 has distinctly defined the position of our government on the great question of the age, that any English ministry can stand up in the face of God and man, and extend the right hand of fellowship to a new commonwealth, avowedly based upon the perpetuation and extension of negro slavery as its corner-stone, until that commonwealth has proved its existence to be a fact which can no longer be contradicted. That the fact is already an accomplished one would be a childish assertion, and no man in Europe deserving the name of a statesman or a reasoner has ventured to make it.

The venerable premier of England has been all his life a consistent and determined hater of African slavery, and has always done battle with it stoutly. I shall never believe that, so long as he guides the policy of England, that country will be swift to recognize the claims of the slave confederacy for recognition, now that all the clouds which sophistry has collected in Europe about the causes of our war have been forever dissipated. No man in Europe capable of reasoning has failed to understand the bearings of a subject which in itself was simple, but which passion and malice had rendered complex. It was perfectly understood that slavery, as it existed in the States, was beyond the reach of the federal government in time of peace, and that it was only the war levied by the slaveholders upon the national existence which placed the institution within the reach of the national power exercising its belligerent rights.

Wise and good men have appreciated the hesitation of the President to make use of this tremendous weapon, and to meet revolution by revolution; but nearly all have foreseen that this was the inevitable issue of the great onslaught made by slavery upon the national life and on our free institutions, and, more than all, that as the war went on, emancipation by the commander-in-chief, in the exercise of his unquestioned right to take all measures not repugnant to humanity to overcome the resistance of the enemy, was really the only method of averting that most horrible of catastrophes—a servile war.

Insurrections, unorganized and private wars, whether by white men or black men, may, and, I doubt not, always will, be suppressed by the military arm; but the position of a great country, defending itself against the deadly blows of the slave power with one hand while protecting its enemy with the other, had become an untenable and almost an absurd one.

"We have the right to put in practice against the enemy," says Vattel, "every measure that is necessary in order to weaken him, and disable him from resisting us and supporting his injustice; and we may choose such methods as are the most efficacious and best calculated to attain the end in view, provided they be not of an odious kind, nor unjustifiable in themselves, and prohibited by the law of nature."—(B. III, c. VIII.)

Whether the excellent Swiss would have thought the bestowing liberty upon the captives of the enemy an unjustifiable measure, or one prohibited by the law of nature, may be judged by his well known opinion in regard to slavery. "If I spare his life and condemn him to a state so contrary to the nature of man, I still continue with him the state of war. He lies under no obligation to me, for *what is life without freedom?* If any one counts life a favor when the grant of it is attended with chains, be it so. * * * * I shall dwell no longer on the subject; and, indeed, that disgrace to humanity is happily banished from Europe."

From the tone of the liberal portion of the English press, and from private correspondence, I am disposed to feel comparatively at ease in regard to the possibility of immediate foreign intervention. Of course, the danger is an ever impending one, and the most vigorous measures for the prosecution of the war cannot be too earnestly urged on government by those who know the anxiety with which the struggle is watched in this hemisphere, and who feel the enmity which the progress and prosperity of our great and free republic have awakened among the possessors of privilege and the humble servants of those classes.

The masses all over Europe sympathize with our cause, for they know, without need of argument or illustration, that our great commonwealth was the refuge of the downtrod and the oppressed, and the only hope of humanity and civilization beyond the seas. That its existence is endangered by an oligarchy founded on slavery, and that it is now defending itself with a generous outpouring of its best blood and its treasure, altogether unparalelled in the history of the world, does not diminish the affection with which it is regarded by the lovers of freedom.

It is in this connexion that I refer to a passage in your despatch No. 19, in which you inform me that you can give me no fresh instructions in regard to the multitude of brave and distinguished officers in this empire seeking to serve under our flag. I have always given them the same answer; that neither international law nor the statutes of our own country permitted a diplomatic representative to come into engagements with foreign soldiers. At the same time I have always expressed myself as deeply touched by their manifestations of sympathy and devotion to our cause. Hardly a day has passed since I have had the honor of representing our republic, in which I have not received applications, often from officers of high rank, who have gained reputation on many battle fields of Europe, for permission to enter our army. And it is with deep regret that I have been obliged to decline the services of men who would have done honor to any cause. But as part of the current history of the times it is well that these things should be recorded, and the archives of this legation contain many eloquent letters from chivalrous soldiers, who have asked to devote their swords and their lives to the "starry banner," which to them, as they uniformly assert, is the symbol of freedom and civilization. It is right that the homage so earnestly paid in a foreign land to that flag, under which so many of our own best and bravest are laying down their lives, should be remembered.

In this connexion I deem worthy of your notice a brief extract from a remarkable series of papers in the principal military journal of this empire, in which the course of our campaigns is criticized, sometimes severely, but never ungenerously; always with talent, and with thorough knowledge of the subject, topographically and strategetically, and with a firm disposition to do justice.

You will be interested to read the comments of so able a writer upon the withdrawal of our armies from the James river:

"It is not to be wondered at, then, if the general-in-chief of the army of the Potomac was in haste to save the army intrusted to him from the dangers surrounding it, even from certain destruction; from a noose, in fact, which required only to be drawn a little more closely together in order to suffocate the soul of the Union. The manner in which he acquitted himself of this most difficult of all military tasks redounds to his infinite honor, and places him at once in the ranks of those memorable commanders whose names history treasures for posterity; men who, if they have, perhaps, not had the art to chain victory to their banners, possessed, at any rate, the fortitude, the audacity, and the circumspection to rescue their armies from impending ruin. * * * The American general has made a thorough study of war in the swamps of the Chickahominy, and has made himself a complete master in that most difficult of professions. * * * He has manifested the unquestioned talent to save his army, in a manner not sufficiently to be admired, out of the most desperate of situations. Moreau made himself immortal by his famous retreat from the Iller to the Rhine in the year 1796. What is due to the American general-in-chief, who conducted, with a morally and physically exhausted army, through a swampy, pathless country, covered with ancient forests, and in face of an enemy outnumbering him two to one, the most classical of all retreats recorded in military history, without a single disaster?"

The press of Austria has, on the whole, been friendly to our cause. An extract or two from a recent number of one of the most widely circulated journals of this capital may be interesting to you, written, as it is, in my opinion, with singular talent:

"The defeat of the great armies of the confederates, which had pressed into Maryland, near Hagerstown, and were then compelled to retreat into Virginia, and the proclamation issued by President Lincoln on the 22d of September, abolishing slavery after January 1, form a turning point in American events Our London correspondent, with judgment unclouded by the language of the English press, which is almost unanimously favorable to the south and to the cause of slavery, makes the following observations concerning the new situation in America:

"'The short campaign in Maryland has decided the fate of the American civil war, however the fortune of war, for a longer or shorter time, may hover between the contending parties. It was formerly developed in this journal that the contest for the possession of the border States was the contest for the sovereignty of the Union, and the confederacy has been defeated in this struggle, which it undertook under most favorable circumstances, which can never occur again.

"'Maryland was justly considered the head, Kentucky the arm of the slavery party in the border States; Maryland's capital, Baltimore, was supposed to be maintained in its loyalty by force. It was a dogma not only of the south, but of the north, that the appearance of the confederates in Maryland would give the signal for a rising of the population *en masse* against the "satellites of Lincoln."

"'It would be a case not only of military success, but of moral demonstration, which should electrize the southern elements in all the border States, and carry them irresistibly into the vortex. With Maryland Washington was to fall, Philadelphia to be threatened, and New York to be rendered doubtful. The simultaneous invasion of Kentucky, by population, situation, and resources the most important of the border States, was, if considered as an isolated demonstration, only a diversion. Supported by decisive success in Maryland, it would overwhelm the Union party in Tennessee, outflank Missouri, secure Arkansas and Texas, threaten New Orleans, and, above all, transfer the war to Ohio, the central State of the north, the possession of which would subdue the north as entirely as that of Georgia would subdue the south.

"'A confederate army in Ohio would cut off the western from the eastern States, and would fight the enemy from his own centre.

"'After the failure of the main rebel army in Maryland, the Kentucky invasion, carried forward, as it was, with little energy, and never meeting with popular sympathy, shrinks to an insignificant guerilla incursion. Even the occupation of Louisville would now only unite the "giants of the west," the masses of Iowa, Illinois, Indiana, and Ohio, in a similar avalanche to the one which descended on the south during the first glorious Kentucky campaign.

"'Thus the Maryland campaign has proved that the power is wanting to the waves of secession to roll across the Potomac and up to the Ohio. The south is compelled to the defensive, but only in the offensive lay the possibility of its success. Deprived of the border States wedged in between the Mississippi on the west and the Atlantic on the east, it has now conquered nothing—but a grave.

"'One should not forget for a moment that the southrons possessed the border States, and governed them politically when the banner of the rebellion was planted. What they desired was the Territories. They have lost the Territories with the border States. * * * * * *

"'*E puo si muove.*' Reason conquers, after all, in the world's history. * * * * * * "Nothing is easier than to show up apparent inconsistencies and aesthetical shortcomings in many of President Lincoln's actions of state, as is done by the English Pindars of slavery, the Times, Saturday Review, and *tutti quanti.*

"And yet, in the history of the United States and of humanity, Lincoln will take his place immediately next to Washington! Is it, then, altogether without meaning, in our days, when the insignificant on this side the Atlantic drapes itself so melo-dramatically, that in the New World the important strides about in everyday clothes? * * * * * * *

"Hegel has observed that, in truth, comedy stands higher than tragedy—the humor of reason above its pathos. If Mr. Lincoln does not possess the pathos of historical action, he possesses thoroughly its humor. In what a moment does he issue the proclamation abolishing slavery on January 1, 1863? In the very moment in which the confederacy, as an independent power, had resolved, in the Richmond congress, on proposing peace negotiations; in the same moment in which the slaveholders considered their peculiar institution as much secured by their invasion of Kentucky as was their dominion over their countryman, the Kentuckian, Lincoln."—*Presse of Vienna, October* 12.

You are far better able to judge of the attitude of the government of France than I can be, and your relations with the French minister at Washington, and with our excellent envoy at Paris, enable you to see how much or how little truth there may be in the periodically recurring rumors of an intended interference on the part of the French Emperor. So far as I can decide, from private means of information of the highest and most unquestionable character, I should say that, thus far, no projects or propositions of interference have been presented by that government to England. The proclamation of September 22 would seem to make such projects, for the present, impossible. I doubt if there is a government in Europe that would dare to confront the strong anti-slavery feeling which is entertained by a large majority of the European populations.

The manifesto of the English chancellor of the exchequer at Newcastle has, doubtless, engaged your attention, and you are better able to decide than I am how much weight is to be attached to those remarkable instances of sympathy with the slaveholders and their cause.

I only allude to it in passing as forming a portion of the historical record of these times. It is the first public, although unofficial, response of an English minister to the emancipation proclamation of the President. I do not believe it to represent the feeling either of the government or the nation.

The speech, so far as it related to the United States, was a consummate work of art, and suggests the oration which the great dramatist has imagined for Mark Anthony, arousing the citizens of Rome to fury over the dead body of Cæsar. There is the same elaborate deprecation of hostile feeling, the same subtle and successful fanning of flames of hatred in his hearers, under pretence of cooling a popular frenzy.

> "Good friends, sweet friends, let me not stir you up
> To such a sudden flood of mutiny.
> They that have done this deed are honorable,"

says the Roman.

"Why, gentlemen, they are our kin; they were, at any rate, if they are not now, *our customers;* and we hope that they *will be our customers again!*" says the chancellor of the exchequer.

A people struggling for its life against the most tremendous oligarchy that the world has ever seen awakens not his respect, but his pity. He is anxious, therefore, that a people so humiliated should be treated with due compassion. "Let us bear with them all we can." To assure a people thus battling for freedom against slavery, for law, order, and social progress against a despotism, avowedly founded on slavery as its corner stone, that it is sure to be defeated, and that the sympathies of the world are with its antagonist, is, it seems, the true way of "manifesting a kindly temper." To do this is to observe "great caution about adverse criticisms."

The cup of humiliation and shame is ready for them, it appears. "They are still endeavoring to hold it far from their lips; they have not yet drunk of the cup which, notwithstanding all the world sees, they must drink of." Enjoying thus the advantage of reading the future with perfect accuracy, the orator instructs his hearers to imitate his Christian forbearance, and not to trample on the downfallen. He "earnestly hopes that England will do nothing to inflict additional *shame*, sorrow, or pain on those who have already suffered much, and who will probably *have to suffer much more*."

Those who know—as what American does not—the deeds of daring by men, of self-devotion by women, the almost fabulous generosity of all, the countless traits of individual heroism and chivalry with which the simple annals of so many families, rich and poor, throughout our land have been filled, during this dark but most honorable epoch of our history; those who know what a great people is now doing and suffering in defence of the free institutions bequeathed to them by their fathers, will know how to appreciate the epithet of "*shame*" which an English minister so genially bestows upon our name.

"Blistered be the tongue that speaks of shame" is the only fit response to such rhetoric and such prophecy.

But there were words in the oration to which it is to be hoped America will never refuse its assent. The Americans, it is admitted, "have warm affections towards England." England is "the country which, however they may find fault with us, from time to time, has the highest place in their admiration and respect." This is perfectly true, and will, I trust, long remain so. But the England thus venerated and beloved of America is not the England which speaks through the lips of the chancellor of the exchequer, and which cheers his prophecies of our humiliation and shame.

It cannot be denied that the tendency of European public opinion, as delivered from high places, is more and more unfriendly to our cause. This is to be ascribed, of course, to the interruptions which the continuance of the war causes to material interests, and to the increasing dislike in Europe to liberal institutions. It would be weakness in us to expect sympathy from the privileged classes; but the people everywhere sympathize with us, for they know that our cause is that of free institutions, that our struggle is that of the people against an oligarchy. They are not deceived by the reiteration of the stale commonplaces about the "wicked war," the "miserable war," the "causeless war." Not one of the critics and prophets with which the world swarms, and who are so anxious to take the mote from their neighbor's eye, has ever suggested any possible project for the restoration of peace. They content themselves with denouncing the war. It would be well for these philosophers to ponder the motto which the State of Massachusetts borrowed from Algernon Sydney, and has borne for nearly a century on her seal:

"Ense petit placidam sub libertate quietem."

The time comes to all nations when they can achieve peace AND liberty by the sword alone. And when those blessings have been secured—as they only can be, on our continent, which the hand of God has indicated as the residence of one people—by the re-establishment of our federal Union and popular institutions, now threatened by the slaveholders' insurrection, it may be hoped that the American sword may be sheathed for centuries.

Nor do I think that optimism puerile or unphilosophical which looks forward, through the war clouds that now envelop our land, to a day when the passions, slaked in blood, shall at last permit reason to resume her sway, and when the south as well as the north shall be both proud and happy that an oppressed race has been converted from chattels into free laborers, and the only obstacle removed which has ever lain in the path of our united nation to prosperity and true glory.

Even if these be dreams, I for one would not exchange my faith for that short-sighted materialism which, in either hemisphere, can see any good to the world in the downfall of our great and free republic.

I have nothing special to report of the condition of this empire. Its financial condition would seem to be improving, to judge by the rise of twenty per cent. in the market value of its paper as compared with specie. Ten pounds sterling, which at par are equivalent to 100 florins, were worth 140 florins a year ago, and are now worth but 120. There are hopes of a resumption of specie payments at the end of five years. The measures are now pending before the Reichsrath, and I will inform you duly of the result.

The proposed budget for 1863 shows a probable expenditure of 388,698,000 florins, with an income of 304,300,000. The deficit is already 84,398,000, which in time of peace does not seem very encouraging, particularly as about one-third of the whole annual expense is to be charged to the army. It should never be forgotten, however, that the resources of this empire are vast, and to a great extent still undeveloped.

The condition of the inhabitants is far from an unfortunate one in a material point of view; the agricultural and mineral wealth is great, and there is a steady effort to give fair play to the liberal institutions with which the empire has recently been endowed.

The taxation is heavy upon the wealthier classes, rather than upon the nation. Thus the tax on real estate is about 33⅓ per cent., and there is an income tax of six per cent., which is shortly to be increased to seven per cent.

Nevertheless, the gross amount of the debt is, in round numbers, but eleven hundred and fifty million dollars, which, for a population of thirty-six millions, is but thirty-two dollars per head.

The amount of annual taxation is but a fraction over four dollars per head. To speak, therefore, of the Austrian empire as on the verge of bankruptcy and impending dissolution is mere abuse of language. The amount of debt and the ratio of taxation distributed per head over the population show that the condition of the Austrian subject is better than that of the subject of any monarchy in Europe, except Greece and Russia. The amount of debt in Holland is, per head, one hundred and thirteen dollars, while in the same country the ratio of contribution to the public revenue is more than eleven dollars per head. The amount of debt per head in France is above fifty dollars, with a ratio of taxation of ten dollars. The amount of debt per head in Great Britain is about one hundred and forty dollars, with a ratio of taxation of more than eleven dollars.

Thus the condition of Austria is, comparatively, favorable, and there is no doubt that the general aspect of the empire is one of thrift, contentment, and prosperity. The capital is growing like an American city, and the old feudal and picturesque town is surrounded by vast suburbs, in which splendid streets and stately palaces are rising and extending themselves in all directions.

My despatch has reached a greater length than I intended, and I shall therefore conclude these desultory remarks.

I have the honor to be, sir, your obedient servant,

J. LOTHROP MOTLEY.

Hon. William H. Seward,
Secretary of State, Washington.

ITALY.

Mr. Seward to Mr. Marsh.

[Extract.]

No. 39.]

Department of State,
Washington, January 31, 1862.

Sir: Your despatch of January 6, No. 36, has been received. I have submitted that portion of it which relates to the want of protection of our commerce in the Mediterranean to the Secretary of the Navy.

The complications of our commerce with foreign countries are not merely annoying, but very embarrassing. Nevertheless, they are regarded as not illegitimate consequences of the insurrection. Temporarily they impair the national prestige, but they do not very seriously endanger the cause of the Union. It is impossible to meet factious treason with due resistance at so many points in our own extended country and in every court and port throughout the world. But we have become at last, and certainly within a time not unreasonable, masters of our position at home. Soon, I trust, we shall find ourselves less exposed abroad. We have had eighty years' experience of domestic peace: it would be unbecoming a magnanimous people to bear impatiently the evils of a brief insurrection, however great they may be.

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I am, sir, your obedient servant,

WILLIAM H. SEWARD.

George P. Marsh, Esq., *&c., &c., Turin.*

Mr. Seward to Mr. Marsh.

No. 50.]

Department of State,
Washington, August 25, 1862.

Sir: Your despatch of August 5, No. 49, has been received. The statement of the condition of the Italian question which it contains is very important and interesting.

The gloom which settled upon the public mind here after the affair at Richmond has already worn off. The forces of the Union are recruiting. The call for three hundred thousand volunteers has been promptly answered, and three hundred and seventeen thousand brave and determined men are already either in the field, or on the way to it, or in camps of organization. The only question that remains about the three hundred thousand militiamen called for through the process of draft is whether that number of volunteers for the war shall be accepted in place of the militia, or whether the government shall insist upon the draft.

General McClellan having successfully withdrawn his great army from its position on the James river, is bringing it forward to unite with the army of General Pope, on the Rappahannock. The insurgents have moved from Richmond with their main force to destroy General Pope's army before he could be joined by McClellan. But the juncture is at least partially effected already, while, though there has been some skirmishing, no important action has taken place.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

George P. Marsh, Esq., *&c.*, *&c.*, *Turin.*

Mr. Seward to Mr. Marsh.

No. 52.]

Department of State,
Washington, September 13, 1862.

Sir: Your despatch of August 26, No. 50, has been received. The account which it gives of the political condition in Italy is full of interest and instruction. Later advices, however, which were hastened by the telegraph, inform us that General Garibaldi, the leader of the popular movement against the government, has been wounded and captured by a French force in Calabria. It would seem that this event must have brought the armed revolution suddenly to an end, although, instead of abating, it may even have increased the agitation which threatens to disturb the peace of Italy and of Europe.

Military affairs here have taken an unfavorable direction during the last three weeks. The army of the Potomac, which was in command of General McClellan, having evacuated its position on the James river, reached the Potomac, near Alexandria, unpursued and in safety. The army of Virginia, under General Pope, which was advanced to the Rappahannock, through some mistake on his part was flanked by the insurgents in large force, and retired to Manassas. Here it became involved in a series of severe engagements, in which it was not supported by the army of the Potomac, as it is supposed it might have been. Both armies, thereupon, returned to this city. An inquiry has been instituted to ascertain where the responsibility for these unnecessary reverses belongs. In the meantime the insurgents, executing a long-cherished design, advanced on the south side of the upper Potomac, which at this season is fordable at many places, and, crossing it at and above Edward's ferry, occupied Frederick. When there, menacing equally Washington, Baltimore, and Harrisburg, in Pennsylvania, they put forth an appeal, on Wednesday last, to the people of Maryland to rise and join the insurrection. Our troops having recovered from a temporary disorganization, an army was immediately organized and despatched, under General McClellan, to meet the insurgents at Frederick. The last information we have is that they have promptly evacuated Frederick and advanced westward to Hagerstown. This retreat is supposed to indicate an abandonment of any designs to strike Baltimore or to advance on the north side of the river to the Potomac, while it still leaves them a choice of entering Pennsylvania or of recrossing into Virginia at or above Harper's Ferry.

Acting upon the same general aggressive policy, the insurgents are advancing towards and threatening Cincinnati. These bold movements very naturally produce much excitement and considerable alarm. On the other hand, the armies of the Union are receiving immense re-enforcements, and our military authorities express much confidence in their ability to retrieve the losses sustained and prosecute a vigorous and decisive campaign. Although cheerfully indulging these expectations, I do not think it profitable to dwell upon them, because measures are going on which must produce important results, and perhaps altogether change the military situation, while my speculations would be crossing the Atlantic.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

George P. Marsh, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Marsh.

No. 54.]

Department of State,
Washington, October 8, 1862.

Sir: Your confidential despatch of September 1, (No. 51,) relating to the capture, imprisonment, probable trial, and ultimate fortunes of General Garibaldi, has been received. The proceeding you adopted in writing unofficially a note to a distinguished Italian statesman upon the subject, as well as the note itself, seem to have been equally inoffensive and judicious, and they are approved by the President.

As you are well aware, the policy of this government is entire abstinence from all participation in controversies between foreign states, and even more complete abstinence, if that were possible, from connexion with domestic agitation in any foreign state.

Under these circumstances, the information that jealousies of the United States have arisen in Italy is received with much surprise. The President has not recognized at all the insurrectionary movements which have recently occurred in Italy, and has proclaimed no neutrality between the state and the insurgents. We know there only the government, the authorities, and the flag of the kingdom of Italy. If American vessels have carried supplies to the insurgents, the fact is unknown to this government, nor has an intimation of such a proceeding, or such a purpose even, been received by the government or any of its responsible authorities.

If any consul of ours has taken a part in these proceedings, he will be brought under the censure of the government, and will not be allowed to retain consular functions. If any naval officer in our service has lent aid to the insurrection, he will be deprived of his command. Intent upon the public defence in the domestic struggle in which we are engaged—seldom free from apprehensions of foreign interference in that struggle in favor of the insurgents—this government intends that if it shall ever come from any quarter, it shall come not only without right, but without even provocation or other excuse. You will judge whether it is important to communicate any and what part of this instruction to the government of his Majesty. In any case, you will inform him that no foreign desire is more sincerely cherished by the United States than that for the stability, peace, prosperity, and welfare of the kingdom of Italy.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

George P. Marsh, Esq., *&c.*, *&c.*, *&c.*, *Turin.*

Mr. Marsh to Mr. Seward.

[Extract.]

No. 36.]

Legation of the United States,
Turin, January 6, 1862.

Sir: At a very early hour yesterday morning I received a telegram from Mr. Perry, of the American legation at Madrid, announcing the arrival of the privateer Sumter at Cadiz, with a number of prisoners taken from American ships captured and destroyed at sea by that vessel.

I immediately communicated the fact, by telegraph, to the legation at Constantinople, to the consulate at Trieste, and to the consuls at all the principal ports in the kingdom of Italy, and addressed to the minister of foreign affairs a communication on the subject, a copy of which will be sent with my next despatch. I learn by late intelligence that, in spite of the protestations of the American consul at Cadiz, the Sumter was admitted into that port. I presume she will be allowed to coal and refit, and otherwise prepare herself for depredations on American shipping in the Mediterranean, and I fear the British authorities at Malta and Corfu, as well as the Greek government, will prove equally indulgent. There is, I imagine, no danger that the Italian government will allow any countenance to be given to confederate cruisers by its local authorities at present, but the fact cannot be disguised that the almost universal disapproval by European jurists of the seizure of the rebel commissioners on board the Trent, and the treatment of the subject by the American government, so far as it is yet known, combined with the malignant misrepresentations of the English press, and the impression produced by the insidious efforts of the British government to create a belief that the United States are seeking a quarrel with England, and, above all, the alleged want of evidence that the federal government intends or desires to take advantage of the present crisis for putting the question of the perpetuation and extension of domestic slavery on a more satisfactory footing. All these considerations are doing much to alienate from us the confidence and good will of that portion of European society whose favorable opinion has been always regarded as both in itself of most worth and practically of greatest value.

In no part of the continent was the sympathy with the government of the Union at the commencement of the rebellion so strong or so universal as in Italy. Although that sympathy is greatly weakened, it is not yet lost, and I trust that events are near at hand which will restore it to its original strength and confirm this government in its disposition to show no favor to our rebellious citizens. The alarm of piracy excited some weeks since by the suspicious conduct of an American schooner off the southern coast of Italy created a great panic among our navigators, but, injurious as it was for the time, it may perhaps have been of service by preparing American shipmasters for the real danger which now threatens them. Many American ships have been sold to Italian subjects, and some are engaged in freighting on European account between Mediterranean and Atlantic ports. So far these vessels are safe, but our own proper commerce in this sea must suffer severely. The Sumter, and the other pirates which will follow her from America or be fitted out here by her officers, will be openly or secretly aided by the citizens of every state which has possessions bordering on the Mediterranean, except, I trust, Italy and France; and the many American ships now navigating this sea must either rot in harbor or expose themselves to imminent risk of capture, unless one or more armed vessels of sufficient speed and force to cope with the Sumter be sent out for their protection. This, I suppose, the necessities of the home service will render difficult, if not impracticable; but I doubt not that the wisdom of the government will devise a proper remedy as soon as the means for its application are at hand.

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I have the honor to be, sir, your obedient servant,

GEORGE P. MARSH.

Hon. William H. Seward,
Secretary of State.

Mr. Marsh to Mr. Seward.

[Extract.]

No. 37.] LEGATION OF THE UNITED STATES,
Turin, January 13, 1862.

SIR: The news of the settlement of the difficulty between the United States and England on the affair of the Trent has been received in Italy with lively satisfaction, and although on the question of the legal right the opinion of lawyers and statesmen was nearly unanimous against the seizure, yet I believe that, both here and elsewhere in Europe, the conduct of the American government, as now understood, is thought to have been not only more dignified, but at least not less honorable than that of England.

The violent and mendacious language of the British press now receives the condemnation it deserves, and I have no doubt that the cause of the Union will be essentially advanced in European estimation by an event which the President and his cabinet have, with such wisdom and skill, converted from an apparently unlucky accident into an instrument of good.

The result will serve, I think, to do something towards dispelling an error almost universal among European statesmen, and which I have seldom passed a day on this side of the Atlantic without having occasion to combat—the assumption, namely, that the American Union is less a republic than an unbridled democracy, of which the federal government is but a blind instrument

The illumination in some of the great cities on the receipt of the intelligence of the capture of the commissioners, the compliments to Captain Wilkes, the various spirited resolutions proposed in the House of Representatives, were cited as evidences of a popular feeling which an Executive elected by the people would be powerless to resist, and nothing short of the actual result of the affair could have convinced Europe that in this, as in most other important crises, the government is left free to initiate the national policy. * * * * * * *

I have the honor to be, sir, with great respect, your obedient servant,

GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Marsh to Mr. Seward.

[Extracts.]

No. 40.] LEGATION OF THE UNITED STATES,
Turin, April 4, 1862.

SIR: * * * * * * * *

I saw Garibaldi the other day for the first time. The conversation turned principally on American affairs, and he manifested the same warm interest he has always shown in the triumph of the Union cause, and the same high respect for the wisdom of the present administration which I have the pleasure of hearing expressed in every quarter with which my position brings me into relation.

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The recent victories of the Union forces over the rebel troops have been received with much satisfaction in Italy, and those branches of industry which had suffered from the stagnation of American trade—the silk manufacture, especially—are rapidly reviving in the hope of the restoration of peace and commercial activity. The news of these successes, I learn, have produced a marked effect upon the feelings and opinions of very many Americans, resident in Europe, who have been much annoyed with scruples as to the lawfulness of the "war which the present administration is waging against the South." I learn from Mr. Powers and others, loyal Americans at Florence, that there have been some remarkable instances of change of position on this question, in that city, within the last few days.

I am, sir, with high respect, your obedient servant,

GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Baron Ricasoli to the Chevalier Bertinatti.

[Translation.]

TURIN, *January* 21, 1862.

MONS. MINISTER: I have just received your despatch of December 30, and thank you for the intelligence you give on the affair of the Trent.

I need not tell you with what satisfaction the government and people of Italy have received the news of the happy solution of a question which, for a moment, put in doubt the peace of the world.

Attached by the closest ties of sympathy to the two nations which have so highly exalted in the two hemispheres the glory of the Anglo Saxon race, the royal government was justly apprehensive of the consequences of the strife which might have arisen between England and North America.

Such strife in effect, whatever the issue, could have had only results adverse to civilization and to the general prosperity; it would have shaken confidence in the principle of "*self-government*," which serves as a common basis for the political institutions of the Anglo Saxon race, and have brought on, if protracted, complications from which the whole world would have suffered.

Moreover, although we should in preference fix our attention on the questions which touch upon the accomplishment of the great work of Italian unity, we were far from being indifferent to the discussion which had sprung up between America and England.

You are not ignorant, Mr. Minister, that the royal government has always been attached to the principle of the freedom of the seas. At the Congress of Paris it united with eagerness in the declaration of April 30, 1856, and hoped that declaration, as soon as it could have the assent of the United States of America, would, in time, become the point of departure for fresh progress in the practical operation of international law. Knowing the bold and persevering efforts which the government at Washington had made for fifty years past to defend the rights of neutrals, we hesitated to believe that it desired to change its character all at once, and become the champion of theories which history has shown to be calamitous, and which public opinion has condemned forever.

By continuing to remain attached to principles whose defence has constituted one of the causes of the glory of North America, Mr. Lincoln and his ministry have given an example of wisdom and moderation which will have the best results for America as well as for the European nations.

Be pleased, then, earnestly to felicitate, in the name of the King's government, the President and his ministry, by giving, if requested, a copy of this despatch.

Accept, Mr. Minister, the assurance of my very distinguished consideration.

RICASOLI.

The CHEVALIER BERTINATTI,
Minister of Italy at Washington.

Mr. Seward to the Chevalier Bertinatti.

DEPARTMENT OF STATE,
Washington, February 19, 1862.

SIR: I have the President's directions to express to you the satisfaction he has derived from the despatch which was addressed to you by Baron Ricasoli on the subject of the Trent affair, a copy of which you so kindly put into my hands.

This government, after a full examination of the subject, decided that it could not detain the persons taken from the Trent by Captain Wilkes without disavowing its own liberal interpretations of the law of maritime war. It rejoiced, therefore, in the accidental circumstance that had given it an opportunity to show the same devotion to the freedom of commerce as a belligerent that it had always before manifested as an interested neutral power. If at any time the government had entertained doubts of the wisdom of its proceeding in the case, they would all now disappear at once before the congratulations which it is receiving from the most generous and enlightened nations that have been passionless observers of the transaction. Among those nations, while all have spoken with cordiality and without reserve, none have spoken with truer magnanimity or more manifest sincerity and earnest sympathy than the kingdom of Italy, the newest and most free of those nations founded upon the principle of the sovereignty of the people. Her utterance comes evidently from the very heart of a people who yet remember the sad experience how liberty is certainly lost through the loss of their national unity. Have the goodness, Mr. Bertinatti, to assure the Baron Ricasoli, and through him the great and chivalrous Prince who reigns over Italy, that their persuasions to the restoration of the American Union, in its amplest constitutional proportions, shall be early submitted to the American people. They will have more than ordinary prophetic weight as the voice of a nation that is risen from among the dead.

The American government and people are unanimous in their wishes for the peace, prosperity and happiness of Italy.

Be pleased to accept, sir, the renewed assurance of my very high consideration.

WILLIAM H. SEWARD

Chevalier J. BERTINATTI, *&c., &c., &c.*

Mr. Marsh to Mr. Seward.

[Extract.]

No. 53.] LEGATION OF THE UNITED STATES,
Turin, October 20, 1862.

SIR: The retirement of Mr. Thouvenel from the ministry, though generally regarded as very strong evidence of the settled hostility of the Emperor to the unity of Italy, has not produced so great a sense of disappointment in the Italian people as might have been expected from the sanguine character of their previous hopes of a speedy and satisfactory solution of the Roman question. The tone of *La France* which, in spite of all disclaimers, is here believed to derive its information from the Tuilleries, had prepared the Italian public for the fall of Thouvenel, and few now doubt that the dynastic ambition of the Emperor, the superstitions of the Empress, and, as many suppose, the resentment of the Rothschilds, have concurred in dictating the return of France to the policy of Villa Franca, which it must now be supposed it is the fixed determination of the Emperor to carry out.

It is, however, too late to obtain the assent of the people of Italy to any proposal of partition or confederation. The sense of nationality is as thoroughly developed and as consciously felt as in any European race; and though Naples and Sicily may probably for a time be lost to the house of Savoy, I think no man who knows the Italian people can question their resolution or their ultimate ability to accomplish at last that unity which, as a counterpoise to the too great weight of the French and Germanic elements in Europe, will be as great a blessing to the general interests of the continent as to themselves.

The overthrow of Garibaldi is a great temporary check to the spirit of progress, for it leaves the liberalists without a leader around whom to rally. The probability, I fear, is against his recovering from the wound in the foot; but even in case of his restoration, the failure of his late expedition will have greatly lessened the prestige of his name. * * * * *

I am, sir, your obedient servant,

GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

Mr. Seward to Mr. Marsh.

No. 58.] DEPARTMENT OF STATE,
Washington, November 10, 1862.

SIR: Your despatch of the 20th of October (No. 53) has been submitted to the President, and he authorizes me to communicate to you his thanks for the clear exposition it gives of Italian politics in the present interesting crisis.

It is easy to see that European interests and passions are beginning to engage some of that attention which during the last year European statesmen have so unprofitably for both continents bestowed upon the unhappy affairs of the American people.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GEORGE P. MARSH, Esq., *&c., &c., &c.*

PORTUGAL.

Mr. Seward to Mr. Harvey.

No. 60.] Department of State,
Washington, July 9, 1862.

Sir: Your despatch of June 5 (No. 123) was received. I think the Portuguese government and nation are to be congratulated upon the solution of the educational question which the French Emperor has so quietly and promptly effected.

How much the old European nations suffer from the immobility of classes and masses which this new nation needs! We could receive and employ all the conscientious teachers of Europe without fear of danger from their imputed heresies in politics or in religion. France, Belgium, and England are agitated and excited to make war against and destroy us by classes of persons thrown out of employment, who, if they should make their way here, would find abundant and harmless occupation, with large rewards. Indeed, some of them might become founders of States which would, at no distant day, become as great as those which are disordered by reason of their wants. Let us hope that the European mind may be sagacious enough to discern that the cure for all the social evils in both hemispheres is migration of surplus population to regions where population is deficient. If it does not like us of the United States, why should Spanish America be longer left to languish for want of the invigoration which European emigration would afford.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James E. Harvey, Esq., *&c., &c., &c., Lisbon.*

Mr. Seward to Mr. Harvey.

No. 61.] Department of State,
Washington, July 9, 1862.

Sir: Your despatch of May 30 was duly received, and the information it gives us of the improving condition of public sentiment in Portugal is very gratifying.

Three cardinal points in our military operations have been attained, namely: the establishment of the blockade, the deliverance of the Mississippi and its tributaries, and the restoration of internal and foreign trade upon these great channels of commerce, and the establishment of the national authority in the border States, as they are named, of Missouri, Kentucky, and Tennessee. We have been baffled in our present demonstration against Richmond. But we are renewing our armies and increasing our navy with a view to a speedy and complete termination of the war.

Irresponsible persons in Europe seem to be persevering in their efforts to bring foreign nations into this conflict. I am not aware that anything more can be done to counteract their efforts than has already been done, unless it is to authorize all our representatives, as I certainly can with perfect justice instruct them to say, that at no time in the history of this country would any form of foreign intervention be more certain to encounter stern and determined resistance. The insurrection lives only on the hope of foreign aid. An attempt to give that aid would rapidly heal our dissensions and restore the unity of the American people.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES E. HARVEY, Esq., *&c., &c., &c., Lisbon.*

Mr. Seward to Mr. Harvey.

No. 63.]

DEPARTMENT OF STATE,
Washington, August 4, 1862.

SIR: Your despatch of June 29 has been received.

The erection of a monument in Lisbon to the memory of the immortal poet of Portugal was not merely an act of national justice and a proper manifestation of national pride. It illustrated the eclectic, conservative faculty of nations, by which they rescue and save whatever is great, good, useful, and humane from the wrecks of time, leaving what is worthless, vicious, or pernicious to pass into oblivion.

The incident seems doubtless the more pleasing to us because it occurs at this conjuncture when we are engaged in combatting, in its full development, a gigantic error which Portugal, in the age of Camoens, brought into this continent.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES E. HARVEY, Esq., *&c., &c., &c., Lisbon.*

Mr. Seward to Mr. Harvey.

No. 77.]

DEPARTMENT OF STATE,
Washington, October 13, 1862.

SIR: Your despatch of September 16 (No. 155) has been submitted to the President. I am authorized to express his high satisfaction with the loyalty and zeal which pervade the paper, and to assure you that your suggestions concerning the conduct of the administration in the very important crisis which is upon us will receive the most deliberate consideration.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES E. HARVEY, Esq., *&c., &c., &c., Lisbon.*

Mr. Harvey to Mr. Seward.

No. 129.]

LEGATION OF THE UNITED STATES,
Lisbon, June 29, 1862.

SIR: In compliance with an invitation addressed to the diplomatic corps, I attended a ceremony yesterday at which the corner-stone of a monument to Camoens, the celebrated author of the Lusiad, and the great poet of Portugal, was laid.

His Majesty the King officiated on the occasion, assisted by his Majesty Don Fernando, the chief personages of the court, the chambers of peers and deputies, the municipal chambers, and other official bodies. Thousands of the people also voluntarily attested, by their presence and applause, interest in the event.

The whole spectacle was imposing and beautiful, and, under a bright and benignant sky, a grateful country, after a lapse of three centuries, rendered its homage to the genius of one who had already erected for himself a monument more enduring than brass.

I am, sir, very respectfully, your obedient servant,

JAMES E. HARVEY.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Harvey to Mr. Seward.

No. 140.]

LEGATION OF THE UNITED STATES,
Lisbon, August 11, 1862.

SIR: I have had the honor to receive your despatches Nos. 60 and 61, both dated the 9th of July.

It became my duty, after receiving full intelligence of the result of the first demonstration of the national army before Richmond, to state, in a formal manner, and in other ways, substantially the views set forth in your No. 61, for the purpose of correcting the erroneous opinions which had gained currency in official circles, and which were also gradually impressing the public mind here. I have reason to know that those representations produced effect in influential quarters where, it is proper to say, the great cause in which our government is now engaged has always been regarded with generous interest and with the friendship which is an integral part of the good relations existing between the two countries.

Portugal herself passed through a long and severe probation of civil war, and the public men who were actors in those eventful and trying periods can neither be indifferent nor unsympathizing spectators of a struggle, the chief and, in fact, the only aim of which is to assert the authority of law and order, and to restore peace and prosperity to a people a portion of whom have been misled by designing and despotic demagogues into false and pernicious courses.

In all my official intercourse I have endeavored to preserve the idea intact, and to maintain it becomingly in practice, that our government, as a great political organization, is unchanged in any of its parts; that it is now what it has always been since entering into the family of nations; and that the disturbing elements which, for a year past, have deranged its accustomed order, are local and transitory events, to be remedied in our own way and at our own time, and with which foreign powers have no proper right to interfere. The assertion of this principle positively and decorously at the outset has served the purpose of preventing controversy and saved the necessity of discussions which, if encouraged, would be attended by no good result.

Having simplified my duty in its political aspects by this plain course, it has not been necessary for me to report fluctuations of opinion in regard to the question which, of all others, engrosses the interest, the anxiety, and the devotion of every true American citizen. Nor have I felt called upon to harass the department with elaborate essays on the changing phases of affairs at home, with speculations as to their issue, or with suggestions of supposed remedies which must naturally occur to these charged with the grave responsibility of administering the government at this critical juncture. The best patriots may honestly differ as to the policy which should be pursued towards the insurgent communities, arising out of a domestic relation which not only affects them but others also, with equal directness, which have loyally and faithfully observed their obligations under the Constitution; but they cannot differ at all in regard to the necessity of upholding the Union at any and at every cost. Birth, education, and peculiar habits of thought create such differences of opinion as have been referred to, but they involve no necessary estrangement between the parties holding them, nor any departure from the main purpose which it is to be hoped animates both—the purpose of preserving the Union in its entire integrity. Our system of government is the wise result of compromise, and the men of this day who, in the excess of their zeal, seem to claim an exclusive inspiration, might learn from the example of the fathers of the republic, who gave us free institutions and the instruction of their sacrifices, wisdom, and virtues, that moderation is as much needed now to preserve, as it was in the early times to prepare, the noble work of which the American Constitution and the Union are the beneficent results.

I am, sir, very respectfully, your obedient servant,

JAMES E. HARVEY.

Hon. Wm. H. Seward,
Secretary of State.

Mr. Harvey to Mr. Seward.

No. 141.]

Legation of the United States,
Lisbon, August 13, 1862.

Sir: Your "circular" despatch of the 14th of July, containing the copy of an important bill which the President had submitted to Congress, has been received and placed among the archives of this legation as a document expressing the views of the Executive upon a question of grave policy in connexion with the war.

The whole course of the President has been so frank, fair, and conciliatory, and so patriotically devoted to the great objects avowed in his inaugural address, that even those who may differ with him in regard to particular points of policy must see in this last proposition nothing more than a new effort in the same direction to terminate the strife which so unhappily disturbs the peace of the Union, and deranges its commerce and relations with other countries.

I am, sir, very respectfully, your obedient servant,

JAMES E. HARVEY.

Hon. Wm. H. Seward,
Secretary of State.

Mr. Harvey to Mr. Seward.

No. 155.] LEGATION OF THE UNITED STATES,
Lisbon, September 16, 1862.

SIR: I have had the honor to receive your despatches No. 66 (special circular) and No. 67, and general circulars Nos. 18, 19, and 21.

The views expressed in your No. 66 upon the subject of foreign intervention or mediation in the unhappy strife which now convulses the Union cannot fail to commend themselves to the full approval of the American people, and to all others who are willing to admit the right which every independent nation possesses of regulating its internal concerns in its own way. Civil war and all its sad consequences have been forced upon the government by an organized conspiracy of desperate and designing men, without any other pretext than the loss of political power and its resulting advantages, which their section of the Union had almost uninterruptedly enjoyed for two-thirds of a century to the exclusion of the other section, having two-thirds of the whole population. Continued possession of power had made them arrogant, and when ejected by a fair expression of the popular will, instead of submitting to the decision, as the majority section had for a long series of years uncomplainingly done, in the madness of defeat they revolted, and with defiance and arms attempted to subvert the laws and overthrow the Constitution.

The proportions which the rebellion has assumed does not and cannot alter its character, and the passing chances and changing events of a war conducted upon so large a field of operations in no way affects the ability of the government to suppress the rebellion in good time, and to bring its authors and abettors to the condign punishment which their unprovoked and unparalleled crime deserves.

We abstained as a government and as a people from all interference in the civil wars which, during our national existence, have afflicted the states of Europe, and upon occasions, too, where sympathy was justly excited, and when any token of action answering to such feeling might have been eventful and decisive. The higher sense of duty, however, prevailed over generous emotion, and in our whole history there is not one recorded act inconsistent with this unswerving policy of non-interference in the domestic affairs of other nations. Surely the rigid observance of respect for the rights of others ought, if there were no other reasons, to exempt us from interference in our day of vicissitude and trial. We can claim it justly and proudly before the world, and, if needs be, we must maintain the immunity, cost what the vindication may; for if that dark hour should ever lower upon the republic, which I pray God devoutly to avert, when foreign powers may dictate the manner and the terms of administering our government, there will be nothing left worth preserving. Rather than that, let all perish, for when liberty is sacrificed to despotism those only should survive who wish to be slaves.

The domestic difficulties which beset the administration in dealing with this unnatural strife at home are necessarily grave and embarrassing. If the impulsive advocates of particular theories and policies would but reflect that the war itself is, in every second of its continuance, more quickly and effectually working out a solution of the great social problem which lies behind it, and before it, and everywhere around it, than their concentrated efforts could do if persisted in with the same unreasoning exaction for centuries, they might learn how much wisdom there was in present forbearance, and that any attempt to precipitate events which seem sternly foreshadowed as inevitable would only turn aside the current which is already rushing rapidly to a certain destination. No observer of the mighty forces now in commotion who, amidst the angry and deafening din of civil war, can think at all can fail to perceive that great social changes must follow its conclusion, whatever that may be—changes, let us humbly hope, that may be wisely ordered and better directed than any now proposed by self-sufficient empiricism.

I am, sir, very respectfully, your obedient servant,

JAMES E. HARVEY.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Harvey to Mr. Seward.

No. 158.]

Legation of the United States,
Lisbon, October 3, 1862.

Sir: After my No. 157 was despatched on the 29th ultimo, I had a personal interview with the Viscount Sá da Bandeira, the minister of war, who is also acting as minister of foreign affairs during the absence of the Marquis de Soulé, in reference to the outrages at the Azores, the conduct of the Portuguese authorities there, and other matters connected with the general subject. I carried with me some of the testimony bearing on the important points, and submitted it to him with explanatory comments.

He was frank enough to say that the islands in question had been used and abused by corsairs and pirates during centuries; that they were exposed and unprotected, and therefore might be so employed again, and that our best plan would be to send a sufficient force there to protect American ships against threatened depredations and to punish the criminal offenders. I informed him that two war steamers had already been ordered to the islands, and that the sloop-of-war St. Louis was ready to sail but I had detained her a day for my own despatches, and offered him that opportunity of communicating with the Portuguese officials. He thanked me for the courtesy, but said it would be impossible to prepare any instructions within the time named, and that the authorities of the Azores were already possessed of the views of the government through the royal proclamation of last year.

I called his attention particularly to the report of a project to establish a coal depot for "confederate" cruisers on the islands, saying that it was part of a plan to equip and arm against our commerce in flagrant disregard of the King's proclamation. It was agreed between us that I should address him a note on the subject, directing attention to the points most requiring prompt consideration. A copy of that note is now enclosed for your information. It needs no explanation at my hands.

I also transmit herewith copies of notes addressed to Captain Pickering, of the Kearsarge, and Captain Thatcher, of the Constellation, containing the suggestions that occurred to me as proper to the occasion.

A telegram from our consul at Gibraltar on the 29th ultimo informed me that the Kearsarge would leave Algeciras on Tuesday last, the 30th of September. The St. Louis sailed from this port at six o'clock on Wednesday morning, the 1st instant, direct for the Azores. I have heard nothing of the movements of the Tuscarora, though she was at Cadiz when I telegraphed Captain Craven, five days ago.

The enclosed copy of my reply to Mr. Dabney's note, in regard to the depredations, will explain itself.

I telegraphed the material facts to Mr. Adams on the 30th ultimo, and requested him to communicate them to you immediately.

The agent heretofore employed in the Algarve district started again for duty there on the evening of the 30th September.

No effort has been spared and no precaution neglected which care and prudence could suggest or provide for this emergency. In fact, all the resources at my disposal or discretion have been exhausted, and I may say, without egotism, at least energetically if not wisely.

I am, sir, very respectfully, your obedient servant,

JAMES E. HARVEY.

Hon. William H. Seward,
Secretary of State.

Legation of the United States,
Lisbon, September 30, 1862.

Sir: A telegram from Mr. Sprague, our consul at Gibraltar, informs me that he has communicated to you the contents of despatches which I sent to Captains Pickering and Craven, (on Sunday, 28th inst.,) relative to the destruction of ten whalers by Captain Semmes, of the Alabama, off the Azores. You will doubtless learn of the movements of those officers. The St. Louis, which is now here, will start in the morning to join the others at the islands.

This is all the disposable force we have at hand. As the pirates have two wooden steamers only, the preponderance of strength is largely on our side.

I assume that, after receiving the intelligence referred to, you started immediately, preferring real service to the pleasant ports of the Mediterranean. I also suppose that your first impulse would be to start for the Azores, and it is to that point that I wish to direct a few suggestions, which may or may not have force. Should the Constellation go to the Azores, not a single United States ship would be left within call, in case of any emergency. If the force sent there already be sufficient, in your estimation, to confront the pirates, then I think that you had better not go, for the following reasons. In the first place, the Sumter would be tempted to escape from her present prison ground, and of course be fitted out in England afresh, for new depredations. The officers on board of her will soon know, or suspect, where our ships have gone, and they will probably profit by the opportunity of their absence.

In the next place, it is not to be presumed that Semmes will remain stationary at the Azores. He went there knowing this to be the season when the whalers come down from the North Atlantic, and when a harvest of depredations might be reaped. He is not ignorant that in a few weeks a fleet of merchantmen, loaded with cereals, may be expected at this and neighboring ports. And I have no doubt that he will endeavor to strike at them. He will also be sure that the Tuscarora and others will pursue him the moment his outrages become known, which is another reason why he will not linger at the islands.

I shall advise either the Tuscarora or Kearsarge to return to these waters as soon as the danger is certainly passed, but one of them must remain there for other and important objects.

In this aspect of the matter, my judgment is that you should cruise hereabouts for a time, and run up to Lisbon for a personal conference, and for information. I see no public object to be served in the Mediterranean, while large interests urgently need protection outside of it. I submit these observations, with all deference to your professional position, as the results of a plain and practical view of the situation.

Yours, very truly,

JAMES E. HARVEY.

Captain Thatcher,
United States Ship Constellation.

LEGATION OF THE UNITED STATES,
Lisbon, October 2, 1862.

SIR: The papers numbered 1, 2, 3, and 4, which are submitted with this note, will bring to your view certain proceedings at the islands of the Azores, and various depredations on American ships, which may properly claim the immediate attention and interposition of his Majesty's government.

The first in order which deserves notice is a statement published in the Portuguese journal "O Lidador," of Terceira, on the 23d of August, which is fully corroborated by various forms of information of a public and private nature.

It appears from this statement that two steamers and a bark, abusing the British flag to shelter their nefarious designs, entered the small ports of the island of Terceira on the 10th, 18th, and 20th of August, respectively, without exhibiting bills of health, as required by the laws of this kingdom. The bark was freighted with arms, munitions of war, and coal, which were transferred to the two steamers without entry at the custom-house, and in defiance of the revenue laws.

After all these proceedings had taken place, and, as the Lidador properly suggests, with a view of "palliating their offence," the vessels were permitted to go through the farce of making entry at the custom-house, and the health department granted them free *pratique*, on the pretence that they had stopped at Praia da Victoria, a little neighboring port some few miles distant.

I abstain from comment on so much of the conduct of these officials as must necessarily be subjected to inquiry by the superior authority here in Lisbon. But as far as it injuriously affects the interests of citizens of the United States, a sense of duty requires me to declare that if they did not act in bad faith, or with criminal collusion, they acted under influences equally culpable and indefensible. They were morally, if not actually, parties to a conspiracy, which soon after culminated in a series of gross outrages, not very far from the same spot, and in the same group of islands.

It may be well to notice, in passing, the fact that free *pratique* was granted to these pirates by the health department at Angra, after two weeks' experience of their corsair-like conduct, and to contrast that act with the course previously pursued towards an American merchant vessel: The schooner Thomas Denison touched at Fayal on the 26th November last, bound, with a valuable cargo, for St. Michael. Although she had a clean, regular bill of health, and there was no sickness of any kind on board, she was required to perform quarantine at Fayal. And subsequently, upon reaching her destination, she was ordered by the authorities at St. Michael to Lisbon for another quarantine, thus breaking up the voyage, and injuring the owners materially. This was the treatment suffered by a peaceful commercial vessel, and it may well be contrasted with the courtesy extended to outlaws, who had notoriously defied, insulted, and violated the laws and usages of this kingdom.

The deposition of Henry Redden, formerly a boatswain's mate on the Alabama, (one of the steamers referred to,) confirms the main facts related by the Lidador, and gives a complete history of the whole affair—of the departure from England, the voyage to the Azores, and the proceedings there up to the time of his abandonment of the piratical enterprise. He states positively that a certain Captain Semmes, after hoisting a flag on the Alabama not recognized by any civilized nation, summoned the crew and announced his intention to "burn, sink, and destroy" American ships, and offered them inducements to join the proposed piracy.

The letter of Mr. Dudley, United States consul at Liverpool, will inform your excellency of a plan concocted by the parties connected with this expedition to use the Azores as a rendezvous for their iniquitous designs. And finally the note of Mr. Dabney, United States consul at Fayal, will present to view the last chapter in this connected record of crime, wherein it will be seen that the threats made at Angra were literally verified off the island of Flores, in the destruction of ten of the whaling ships which, at this season of the year, are accustomed to recruit at the Azores.

No doubt is entertained that as soon as these facts become known to your excellency, prompt and efficient measures will be taken, not only to prevent their recurrence, but to make the delinquent officials answerable for their faithless omissions of duty. All these acts, in part and in whole, are in flagrant violation of his Majesty's proclamation of July 29, 1861. Avowed enemies of the United States, who are equally the enemies of civilization and humanity, have "entered the ports" of Portugal. have "fitted out" vessels, to use the language of the proclamation, "destinados a corso," in a Portuguese port, and have burnt and destroyed American ships in Portuguese waters. Great wrong and injury have been thus inflicted by the failure of the local authorities on the islands to respect and obey the royal mandate, which was wisely and liberally designed by his Majesty to exclude such a possibility.

It is proper for me to draw the special attention of your excellency to the reports of the consuls of the United States at Fayal and Liverpool, as to the design of the projectors of this recent expedition, and their criminal associates, to establish a station at the Azores for the supply of piratical cruisers with munitions of war, coal, and arms, to depredate upon the commerce of the United States with those islands and elsewhere. No belief is entertained that a hostile scheme like that described would be tolerated in any way by his Majesty's government.

But after the events which have now been witnessed, it is only proper that precautions should be taken by which the responsibility of protection should not rest exclusively upon subordinates who may be incompetent or unwilling to discharge their whole duty.

I avail myself of this opportunity to reiterate the assurances of my most distinguished consideration.

JAMES E. HARVEY.

His Excellency the VISCOUNT SÁ DA BANDEIRA,
Minister of Foreign Affairs.

LEGATION OF THE UNITED STATES,
Lisbon, September 30, 1862.

SIR: I telegraphed you, on the 28th instant, relative to certain depredations committed by Captain Semmes, in a cruiser called the Alabama, upon ten American vessels engaged in the whaling trade off the Azores. Our consul at Gibraltar has informed me of your intended departure for the Western islands to-day, and I avail myself of the sailing of the United States sloop St. Louis to-morrow to make some general suggestions and to send you a description of the Alabama, taken from a deposition of one of the masters whose vessel was burnt. Commander M. C. Marin, of the St. Louis, will furnish you personally with a copy of his own notes with additional details.

This piratical expedition was planned so as to intercept and destroy our whaling ships, which are known to touch at the Azores at this season of the year. When the immediate motive has passed away there, it is to be presumed that similar outrages will be attempted elsewhere. It is well known that a large number of merchantmen, freighted with cereals, may be expected during the months of October, November, and December, at this and neighboring ports.

Semmes and his confederates are not ignorant of that fact, and will doubtless endeavor to destroy all they can reach.

As soon, therefore, as danger has certainly disappeared at the Azores, I would advise you to send either the Kearsarge or the Tuscarora, with the St. Louis, to Lisbon, in order that I may confer with the commanders of one or both and concert measures for the protection of our exposed commerce hereabouts.

It will be necessary, in any event, to retain one of the two steamers at the Azores for a time. The insurgents have already used those islands, in defiance of the Portuguese authorities, who are comparatively powerless, as a rendezvous for coaling, recruiting, and the transfer of munitions of war from vessels abusing the British flag to steamers in the service of the so-called "confederates." And I am credibly informed that a plan has been contrived to establish a coal station at one of the islands, making it the entrepot of a regular contraband commerce, inimical to the interests of the United States, and in flagrant violation of the proclamation of the King of Portugal of July 29, 1861, of which I enclose you a translated copy.

If an occasion should occur, it will be your duty to call upon the proper authorities, through the consul or consular agents, and require that proclamation to be carried out in good faith, as it will be to prevent all contraband trade, if they fail in efficiency. I would recommend you to co-operate fully with the authorities, and to respect their usages and laws, but, at the same time, to protect our own interests in the most proper and positive manner. Exposed and undefended as those islands are, we shall have to rely mainly upon ourselves, since there is no naval force of this kingdom stationed there to assert and maintain the good dispositions of the government.

It would be well for you to see and confer with Mr. C. W. Dabney, United States consul at Fayal, who is necessarily possessed of much information on this subject.

It is not improbable that the Constellation may leave the Mediterranean upon hearing of the depredations referred to. I have written to her commander, suggesting that it would be better for him to cruise in these waters than to proceed to the Azores, as one ship-of-war should be within call for a sudden emergency.

Be pleased to communicate with me by every opportunity which may offer, in order that I may keep our government informed of the progress of events.

I am, sir, your obedient servant,

JAMES E. HARVEY.

Captain PICKERING,
United States Ship Kearsarge, Azores.

Mr. Harvey to Mr. Seward.

No. 159.]

LEGATION OF THE UNITED STATES,
Lisbon, October 4, 1862.

SIR: A telegram from the United States consul at Gibraltar, in reply to an inquiry from me, has just come to hand, which relieves anxiety in regard to the movements of the United States steamer Tuscarora. It now appears that she started for the Azores on Tuesday, the 30th ultimo.

The hope is entertained that the two steamers and sloops-of-war which have gone in pursuit of the piratical cruiser Alabama may overtake her and inflict the punishment which a succession of crimes has provoked and deserved. I feel quite confident that the presence of our vessels-of-war at the islands will at least have the effect of preventing further depredations upon American commerce there.

I am informed that the United States storeship Release, which was speedily sent from Fayal, by our consul there, to notify the commanders of the Tuscarora and Kearsarge of the outrages, has arrived at Cadiz. As a knowledge of the facts had reached me previously, all the measures of relief had already been anticipated and adopted.

I am, sir, very respectfully, your obedient servant,

JAMES E. HARVEY.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

NETHERLANDS.

Mr. Pike to Mr. Seward.

[Extract.]

No. 33.]

UNITED STATES LEGATION,
The Hague, January 9, 1862.

SIR: I have received your despatch of 11th December last, No. 36.

The telegraph of to-day announces the settlement of the Trent affair in the interest of peace. I can hardly express to you the feeling of relief afforded to Europe by this news. It may seem to some a paradox, but it is nevertheless true that the act of surrendering Mason and Slidell will vastly elevate and improve the position of the United States government at every court in Europe. It paves the way for a genuine sympathy in its efforts to subdue the rebellion.

It has been only the friends of the United States abroad who, for more than a month of gloomy forebodings, have steadily and alone maintained that our government had the strength and the virtue to treat a momentous crisis in the national life with wisdom and self-denial. Everywhere has it been believed and avowed by ruling classes that at such a crisis a headlong democracy was sure to drive the government into the broad road to national ruin. That it should act upon the counsels of discretion in such a delicate and critical emergency is a surprise that will extort their involuntary respect and admiration.

Whether England be right or wrong in her late demands, the universal conviction among wise men of all shades of political opinion, so far as my experience goes, has been that the only true course open to our government, under existing circumstances, was to yield to them. It was and is believed that the decision of the question of their justice could be safely left to the future; and that whatever that decision might be, under no circumstances could we be the loser.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 42.]

DEPARTMENT OF STATE,
Washington, February 5, 1862.

SIR: Your despatch of January 15 (No. 34) has been received.

I thank you sincerely for your attention and diligence in giving me information of the action of opinion on the continent in regard to the disposition of the question concerning the Trent, and also for your speculations concerning the probable future course of European opinion upon the contest in which we are engaged.

Incidents, and even accidents, domestic and foreign, enter much into all the estimates which can be formed on either side of the ocean. There will be incidents and accidents in the future, as there have been in the past, and these cannot now be foreknown. I think I have heretofore said to you that I had perceived that any opinion discovered in Europe is only a later appearance there of an opinion which had already manifested itself among ourselves. Practically the American people were dismayed by the outbreak of the revolution. Europe accepted it as already completed. The American people rallied, and Europe considered. The American people recoiled after the battle of Bull's Run. Europe pronounced the question ended. The American people were confident of success, and Europe admitted the hopefulness of their affairs until the Trent question came up. The American people thought that war waged by Great Britain against us when we were divided would be calamitous. Europe decided that it would be ruinous.

Just now the tide of success is with us; the strength of our position is seen and felt by ourselves, and acknowledged by the insurgents. If we go on as we have begun, making progress against the insurrection; and if, at the same time, we practice justice in all our dealings with foreign nations, I feel assured that European states will consider well before they engage in a war against us in violation of all moral right, and with such questionable prospect of benefits to themselves.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., &c., &c., &c.

Mr. Seward to Mr. Pike.

No. 44.]

Department of State,
Washington, February 27, 1862.

Sir: Your despatch of February 5 (No. 36) has been received.

You will lose no time in calling the attention of Mr. Stratenus to the subject of the intrusion of insurgent piratical American vessels seeking shelter in the ports of the Netherlands and their colonies. If you cannot obtain a decree excluding them altogether, it is thought that the government will have no hesitation in restoring the restrictive policy which was adopted by it under the superintendence of its foreign affairs by Baron Van Zuylen.

I trust, however, that the government will go further, and reconsider the whole subject. The insurgents have never, since they attempted a revolution, been able to command ingress and egress at any port in the United States. Practically all the seaports occupied by them are effectually invested by the naval forces of the United States. Large stretches of the coast of the insurrectionary States are already in the occupation of the United States, including many of their ports. The others are falling rapidly into the same occupation. The arms of the United States have successfully resisted the revolution, and it is yielding on all sides before them. The time is an opportune one for those friendly powers which, as we think, so prematurely and unnecessarily conceded belligerent rights to the insurgents, to reverse that policy and resume their original relations with the United States. Perseverance by them in that policy can only embarrass a commerce between those powers and the United States, the obstruction of which is only less injurious to themselves than to our own country, while it sustains hopes of foreign intervention already rendered desperate by the manifest disposition of that portion of the people which has been invited to return to their constitutional relations with the federal government. This domestic war has been protracted long enough. It is the interest of humanity that it should be closed as speedily as possible. It would come to an end to-morrow if the European states should clearly announce that expectations of favor from them must be renounced.

The policy of finance to which you advert has been considered carefully by Congress. The system which seems to have been settled upon, and which in part has gone into legislation, seems to us a very safe and wise one. The government will issue treasury notes for currency which will be a legal tender except for duties on imports and the payment of interest on the national debt. The imports will be collected in gold and silver, and the interest on the national debt will always be paid in coin. Taxes will be levied to an amount ample in every case to pay the interest and constitute a sinking fund adequate to the ultimate payment of the principal of the public debt. The wealthy men of Holland will have to look very far abroad to find safer investments for their capital; and there are abundant indications that the national credit, under this system, will be cheerfully sustained by our own citizens. The prospect of an early end of the civil war is already accepted by all classes of our people, and we shall perhaps be ceasing to borrow while those who have little faith in republican institutions are considering whether it is safe to lend.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq , *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Pike.

No. 45.]

Department of State,
Washington, March 8, 1862.

Sir: I have before me your despatch of February 11, No. 37.

You think that it is only the fear of a pressure, resulting from want of cotton, that sustains the opposition in Europe to our blockade of the southern ports. On the other hand, it seems quite clear to us here that it is only the recognition of the insurgents as a belligerent power by the European states that sustains the insurrection, which renders a continuance of the blockade necessary. If this opinion is sound, I cannot believe it will be long in reaching the consideration of the parties most deeply interested.

Our military and naval operations continue to be successful. But the press relieves me of the necessity of advising you concerning this the most important part of our affairs.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Pike.

No. 46.]

Department of State,
Washington, March 10, 1862.

Sir: Your despatch of February 19 (No. 38) has been received

The system provided by Congress for managing the national revenues has gone before the country, and it is found to be satisfactory. The revenue bills, which constitute the foundation for that system, are now maturing, and there is no doubt that they will be perfected with equal satisfaction. The country, under the operation of the financial system thus to be completed, is likely to become quite independent of foreign credit, while its industry will be invigorated to an extent unknown in our former history.

To-day the insurgents are relinquishing the siege of Washington; and thus the first year of the insurrection ends in its discomfiture, which renders a reorganization necessary at the very moment when the excited passions in which the unhappy movement originated are subsiding, and the masses are prepared for a return to sober councils and loyal purposes. The financial condition of the insurrection is hopeless. Even before their retreat from Manassas gold commanded a premium of fifty per cent. in Richmond! What will be its value now?

How long can the European powers reconcile their people to the evils they suffer from this war, and induce them to believe that their sufferings result from fault on our side, instead of a useless concession of belligerent rights to the insurgents on their own part?

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Pike.

No. 47.]

DEPARTMENT OF STATE,
Washington, March 15, 1862.

SIR: Your despatch of February 26 (No. 38) has been received.

I think we have reason to be satisfied with our fiscal system. Gold fluctuates between one per cent. and one and a half per cent. premium, and as yet the tariff and tax bills have not become laws.

The favorable progress of our arms still continues, and the heart of the country is sound.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

No. 42.]

UNITED STATES LEGATION,
The Hague, March 19, 1862.

SIR: The late successes of the federal arms have, in my judgment, put an end to all thoughts of interference in our affairs by European powers. There is no longer any question among the doubters that we have a government of stability and force. The recent events have re-established the national prestige. Already has it been said to me by the distinguished personage who is the barometer of a very broad opinion in Europe, that it is apparent the present war is not to interfere materially with our national growth or development.

The only thing which has occasioned even a ripple on the current now setting so steadily in our favor is the late remark of Lord John Russell, in Parliament, that in his opinion it is best for the north and south to separate. My interpretation of this observation is, that Lord John only means to repeat a remark he has frequently made within a year, that slavery being the cause of the war, the restoration of the Union on the old basis would lead sooner or later to a repetition of the disorders now witnessed, and that separation is their easiest cure and only antidote, unless it be emancipation, which he does not contemplate.

There are a number of governments in Europe just now whose stability is reckoned considerably below par, and to whom has been transferred the superfluous solicitude lately manifested for the concerns of the United States. In fact, the rulers of Europe may be said to have, more than ever, their hands full of their own concerns, and which grow in perplexity just in proportion to their diminishing hopes of the failure of republican rule on the other side of the Atlantic.

I do not think, from what I see and hear, that the project of setting a European prince upon a Mexican throne has ever taken any serious hold upon Europe. But the suggested conditions of the proposition never had any weight with Austria or anybody else. Spain, being swollen by her unopposed entrance into St. Domingo, her ancient pride of power has revived; but no designs of recolonization which that government may entertain will be countenanced by the powers which alone can give them vitality—at least so long as the United States government keeps the weather hand of the slaveholders' rebellion.

You may be certain that the idea of a revival of hereditary rule in the American States that have shaken it off is not seriously entertained in Europe. If I am not wholly mistaken in my observations, there is nobody in the world so well convinced of the weak and failing character of this basis of government as the reigning families of this continent.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Pike to Mr. Seward.

No. 43.]

UNITED STATES LEGATION,
The Hague, March 16, 1862.

SIR: Your despatch of the 27th of February reached me on the 21st instant. I have lost no time in laying its contents before the new minister of foreign affairs, Mr. Van der Maesen de Sombreff, and shall hope for a favorable response.

I see no reason why this government should decline to return to the policy of Baron Von Zuylen, especially since England has followed his example.

The new ministry is at length fairly under way. The minister of foreign affairs is a young man from the interior.

The men of affairs in Europe are looking inquiringly, rather than dogmatically, now upon the progress of events in the United States. Struck by the national successes, they wait to see the impending revolt against the revolution in the seceding States before being willing to admit it will come. The suggestions of emancipation lately propounded by the President are received with mingled favor and doubt. Favor, in regard to their character and design; doubt, of the ability or willingness of the free States to carry them out. After a long revel of doubts and sneers, the opinion is again becoming noted that the United States government is abundantly able to manage its own concerns.

Events are looming both in the north and south of Europe that tend to divert attention from America, and which may soon attain a dimension that will eclipse transatlantic affairs altogether.

So far as the future is concerned, the condition of things in the United States, bad as it is, seems to be stability itself when compared with the rickety state of the political system of Europe. The whole continent is but a pent volcano, with only here and there a standing ground not torn with threatening fissures. To say that it has been so from the time of Charlemagne is not to dispute the fact that it is so now in a pre-eminent degree. The desire to transplant this system to the American continent, at this period of the world's history, is an audacity tnat I do not see any reason for imputing to the troubled heart of European royalty. I believe they are looking to America rather as a refuge than as a future theatre for their offspring. * * * * * * * *

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Pike to Mr. Seward.

No. 44.]
United States Legation,
The Hague, April 2, 1862.

Sir: Since my last I have had the honor to receive your two despatches of March 8th and 10th, Nos. 45 and 46.

Your suggestions, now renewedly repeated, that the European governments will have themselves alone to blame if their commercial intercourse with the cotton States is much longer obstructed, if vigorously urged upon the leading maritime powers by our ministers, cannot fail to produce effect.

Those powers ought to be earnestly pressed to withdraw their recognition of belligerent rights to the seceding States, and themselves thus end the war which is occasioning them so much concern and inconvenience. I have twice drawn the attention of this government to this point already. But it is hard to move these secondary powers in a matter of general importance before the large powers have acted.

It was only by great urgency that Baron Von Zuylen was induced to adopt the policy of excluding the confederate vessels from the Dutch ports before any other government had adopted it. And the moment a new man took his place who had not been pressed, he immediately ran away from the position. The most I can hope now is, that Mr. Maesen will restore the policy of Baron Von Zuylen, which would be the best starting point for them to get where we would like to have them.

If we could get a good example from Russia, whose sympathies we can surely count on, we might gradually undermine the position of England and France on this question, should they not be otherwise disposed to leave it, by getting the smaller powers to follow her lead.

Since conveying the substance of your despatch on this subject to Mr. Maeson, of which I advised you in my last, I have addressed him the following note.

"United States Legation,
"*The Hague, March* 28, 1862.

"Sir: In the absence of any reply to my note addressed to your excellency on the 22d of this month, allow me to solicit your earnest attention to the suggestion contained therein, that this government should review the whole question of granting belligerent rights to the States in revolt against the American government.

"Our late overwhelming successes demonstrate the impossibility of the triumph of the seceding States, and show that the insurrection must fail.

"The commercial interests of Europe and the claims of humanity alike demand of European governments a policy adapted to the present situation in the United States.

"If the seceding States were to be informed by the European courts that they would resume their former relations to the United States, and no longer accord the rights of belligerents to the secessionists, Europe would but little longer complain of suffering in consequence of the state of American affairs.

"It is hoped by the United States that this view being present to the mind of all European governments they will with a common accord, by this plain and easy line of policy, withdraw that moral support which alone now give a lingering existence to the slaveholders' rebellion.

"The undersigned begs, &c., &c."

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 48.]

Department of State,
Washington, April 2, 1862.

Sir: Your despatch of March 12 (No. 41) has been received. Your account of the system of finance and revenue existing in the Netherlands is very interesting. In the belief that it may prove useful in the present emergency, I shall take pleasure in procuring its submission to Congress.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Pike.

No. 50.]

Department of State,
Washington, April 8, 1862.

Sir: I have read with much pleasure the interesting and encouraging account you give of an improved public opinion concerning our affairs in Europe in your despatch of March 19, (No. 42.)

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

No. 45.]

United States Legation,
The Hague, April 9, 1862.

Sir: Since my last I have received a communication from the minister of foreign affairs, of which the following is a copy:

"Sir: I have the honor to acknowledge the receipt of your letters of the 22d and 28th of March, relative to the admission of the armed vessels of the secessionist States into the ports of the kingdom of the Netherlands and its colonies, and the recognition of the rights of belligerents to those States.

"You ask, in the name of your government, that that of the King may submit this question to a new examination, in the persuasion which the cabinet of Washington feels that if the moral support given to the confederates by this recognition of the principal states of Europe were once withdrawn the struggle which now desolates the great American republic would soon come to an end.

"It is useless to renew to you, sir, the assurance so frequently reiterated of the profound interest that the cabinet of the Hague takes in the events which, to its great grief, are passing in America, and that it most heartily desires a solution favorable to the interests of the Union, as well as those of all humanity.

"I am unable, however, to give you an immediate response to your proposition. Its importance requires a profound examination, and the concurrence of the members of the cabinet, of which I am a part.

"I shall not fail to inform you, in due time, of the result of our deliberations, and I beg you, meantime, to receive the assurance of my high consideration.

"VANDER MAESEN DE SOMBREFF.

"Monsieur Pike, *&c., &c.*"

The late combat at Fortress Monroe between the iron-clad vessels continues to be the talk of every salon in Europe, and is conceived to point directly to the inevitable triumph of the United States over the rebellion.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Pike to Mr. Seward.

No. 46.]

United States Legation,
The Hague, April 16, 1862.

Sir: I have the honor to enclose you the communication of this government, in reply to mine of the 22d and 28th of March last, asking for a review of their position on the questions of granting belligerent rights to the seceding States, and of excluding the piratical vessels of those States from the ports of the Netherlands. You will perceive that the government declines to change its present attitude on these subjects.

I neglected in my last to acknowledge the receipt of your despatch of March 15, (No. 47.)

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Maesen De Sombreff to Mr. Pike.

[Translation.]

THE HAGUE, *April* 14, 1862.

SIR: As a continuation of my communication of the 1st of this month, I have the honor to bring to your knowledge that the government of the Netherlands considers that it ought to sustain the principles held in 1861. Whatever may be its desire to please the cabinet at Washington, it cannot withdraw from the self-styled Confederate States the rights of belligerents, nor modify the instructions given in the month of December, 1861, to its colonial authorities relative to the duration of the sojourn of armed vessels of the United States of the north and of the south in the Netherlands ports, without limit of time, as well as privilege which has been given to them to ship coal without limit as to quantity. A fresh examination of the question has only confirmed the King's government in the opinion maintained by those who preceded them in power, that is to say, that civil war exists in America, and that the Netherlands have proclaimed their neutrality, it followed logically that the States self-styled confederate should be recognized as belligerents.

This opinion, based in theory on the authority of the best publicists, and confirmed in practice by the conduct pursued not only at an anterior epoch but even in modern times by the principal European powers, and, what is more, by the United States themselves; this opinion has guided the ministers of the King in their line of conduct towards the two parties in opposition in America, and is the same as that which prevailed in the councils of France, of Great Britain, and of other powers.

After the developments entered into upon this subject in the communications to the legation of the United States, under date of 17th September, 15th and 29th October, and 14th December, 1861, it will be, without doubt, useless to turn back to them, or to support them by new arguments.

Recognized as belligerents, the secessionist States might, according to the law of nations, arm privateers, and they could not be treated as pirates, as the cabinet at Washington would have it, only seeing such States in the light of rebels, and in the violation by them of the Constitution, only rebellion.

Besides, all their armed vessels could not be regarded *prima facie* as privateers. This lies in the very nature of things, and results likewise from the definition of privateer, (corsair.)

It followed, consequently, from the attitude taken by the government of his Majesty, that the vessels-of-war of both parties should be admitted on the same conditions into the ports of the Netherlands, our proclamations excluding only privateers, except in case of stress.

This consequence was admitted, in what regards France, by Mr. Dayton, American minister at Paris, who writes to Mr. Seward the 12th June, 1861, "that part of the declaration ('the French declaration of the 10th June') which puts the vessels of the United States in the same category as the vessels of the Confederate States, may, I think, be justly complained of; *but this grows, at most, out of the recognition of those States as belligerents.*"

The recognition of the rights of belligerents in the Confederate States is not a question of opportunity nor of policy; if such were the case, one might discuss its maintenance in relation with the ever-varying exigencies of the latter. But the question here treated belongs to the law of nations, of a consequence inherent in neutrals towards belligerents.

I will content myself with citing an author generally esteemed, Mr. Hautefeuille, on rights and duties of neutral nations, (I, 450:) "Nations," says he, "which desire to remain neutral, must accept the position; in fact, if they would be respected by the two parties, they must recognize and respect alike both of the two. The foreign prince who should refuse to fulfil the obligations of neutrality towards insurgents could not require of them to consider him as neutral; he would be in their eyes the ally of their enemy, and they would treat him as such with justice."

It is therefore impossible to the King's government to change the line of conduct thus far followed. How could it, besides, by no longer conceding to the southern States the rights of belligerents, by excluding their vessels from its ports, by treating them, in a word, as pirates, apply to them a treatment from which the United States themselves have recoiled, as has been observed in the despatch of December 14, 1861? The northern States have not condemned as pirates the privateers of the southern confederates, but have considered them as lawful combatants. We cannot do more than the government of the Union. This is what caused the remark, so far back as the month of June, 1861, of Lord Russell in his despatch to Lord Lyons, (North America I, p. 42:)

"We could not treat 5,000,000 of men, who had declared their independence, like a band of marauders or filibusters. If we had done so we should have done more than the United States themselves. We surely could not be expected to go beyond the United States government themselves in measures of severity."

It must, then, be well understood that, under such conditions, and whatever may be its regrets for the evils which now afflict the great American republic, the King's government cannot consider the two contending parties otherwise than as two belligerents, the one employing against the other the forces at its disposal, conformably to the principles of the law of nations.

It refers to its anterior communications, and repeats the assurances given again and again that, in continuing to receive in the Netherlands ports the vessels-of-war of the northern States and of the secessionist States, it will not be permitted that such vessels should make of one or other of her ports the base of their operations against the commerce of their adversaries.

I pass now to the second question contained in your letter of 22d March last, to wit: whether the government of the Netherlands, if it refuses to exclude from its ports the vessels of the confederates, will return to the restrictive measures adopted when the Baron de Zuylen was at the head of the department for foreign affairs, and which have since been changed under Mr. Strens.

In this regard I permit myself to observe to you that I could not understand how your government could desire the re-establishment of measures which actually were, and would again be, applicable to both parties, and which were, at the time, the cause why the Union ship Iroquois would not enter the port of Curaçoa under the rule of said restrictive measures.

It was on that occasion that the last were modified, which was brought to your notice the 30th of December, 1861.

It follows, from advices which have since reached the government, that the new commander of the Iroquois has expressed himself well satisfied to find the precedent restrictive measures withdrawn, and thus to have the privilege of taking as much coal as he might wish. These measures are also favorable to Netherlands commerce with the United States, so that the interests of the two countries are in perfect accord.

If the instructions given before the month of December, 1861, were now returned to, the government of the Netherlands might not only be taxed, with good reason, with trifling, but would hurt its own interests, as well as those of the Union, considering that the consequence of said instructions would be, as has been remarked in the communication of Baron de Zuylen, dated October 29, 1861, that the vessels-of-war of the United States, also, could no longer be able to sojourn in the Netherlands's East Indian ports more than twice 24 hours, nor supply themselves with coal for a run of more than 24 hours.

The cabinet of the Hague will never refuse to that of Washington anything that is really just, or even not essential nor prejudicial to the rights and interests which it is called upon to defend. It leaves with confidence to the government of the republic the just appreciation of motives which have, in the present juncture, guided the policy of the King's ministry, and they venture to cherish the hope that the judgment which will be formed of it at Washington may conform with the sentiments of sincere good will which so happily exists between the two peoples and their respective governments.

Accept, sir, the renewed assurance of my high consideration.

G. VANDER MAESEN DE SOMBREFF.

Mr. Pike,
Minister Resident of the United States of America.

Mr. Seward to Mr. Pike.

No. 51.]

Department of State,
Washington, April 16, 1862.

Sir: Your despatch of March 26 (No. 43) has been received.

The series of successes upon which you commented in that paper has been continued. The nation already sees, as Europe must soon come to understand, that the counsels of the Union are wise, its forces strong, its resources unexhausted, and its purposes equally firm and generous.

It may be doubtful whether American pirates will any longer disturb the peace of Europe. But it is very important that the course of the government of the Netherlands shall be such as to prevent complaint. Every interest of the Netherlands, as well as of the United States, and even every interest of humanity, require that these two countries remain friends. It cannot be too well understood that the people of this country, now that the crisis in our affairs is supposed to have passed, are already forming judgments upon facts, as to what states have been friendly and what states unfriendly, and are adopting partialities and prejudices according to the results of that investigation. Is it well for a state which is greatest in its colonies, like the Netherlands, to disregard the good will of a chief maritime power, whose commerce with those countries is intimate and important?

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., &c., &c., &c.

Mr. Seward to Mr. Pike.

No. 52.]

Department of State,
Washington, April 26, 1862.

Sir: Your despatch (No. 45) of the 9th instant, containing the copy of a note from Mr. De Sombreff, the Netherlands minister of foreign affairs, upon the subject of the treatment of insurgent piratical vessels, and the concession of the rights of belligerents to the States in insurrection against this government, has been received.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

No. 48.]

United States Legation,
The Hague, April 30, 1862.

Sir: Since my last I have had the honor to receive your despatches Nos. 48, 49, and 50.

The new liberal cabinet of M. Thorbecké is already proposing important modifications in the administration of the internal affairs of this country. Here, as everywhere else in Europe, the American experience of iron-clad ships-of-war is instituting a radical change in naval affairs, and disturbing that most sensitive of all balances, the balance of power in Europe. Even Holland feels she can again be defiant in maritime warfare by the aid of newly-developed forces of attack and defence.

The experience of the Monitor has reassured the secondary naval powers, and nowhere is the sentiment of increased strength enjoyed with a more lively satisfaction than among this commercial people. Though their own soil is destitute of every raw material but sand and muck, they are among the most skilful of workers where wood, coal, and iron are the agencies of production. When Holland shall be iron-clad, she will, with her feet under the sea, be the turtle among the nations.

Europe groans daily more and more under the growing dearth of cotton. This country feels that want less than almost any other, for wool and flax are here extensive domestic staples, and universally in use. But the cries of England, France, and Belgium are sufficiently audible to attest the severity of the calamity. In other respects the war largely affects the industrial interests of Europe. In Belgium the wages of manufacturing workmen in some departments are reduced to 25 centimes (five cents) per day, and work difficult to be found. The fact is but a sample of the many bearing upon this point.

It is these aspects and bearings of our affairs that cause them to be still regarded with undiminished interest, while in other respects they still attract great attention. For example, some of the bishops in France have lately issued instructions to their clergy, saying that while it was manifestly improper for them to meddle with the concerns of foreign nations, it could not be objectionable to pray for the emancipation of the four millions of slaves which the President of the United States had proposed should be liberated—a circumstance indicating at once the healthiness of European sentiment, and showing the very general character of European information on American affairs.

The more popular branch of the legislative department of this kingdom is now in session to act upon the ministerial propositions of M. Thorbecké. It is not a large country, but it is deemed necessary to have from six to a dozen legislative sessions a year, in order that its concerns may be properly cared for.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Pike.

No. 53.]

DEPARTMENT OF STATE,
Washington, May 9, 1862.

SIR: Your despatch of April 23 (No. 47) has been received.

The efforts, financial, military, and naval, which the United States have made during the past year were necessarily irregular and convulsive as increasing evils and multiplying dangers revealed themselves. But that revolutionary habit, or rather want of habit, has passed away. The nation now understands fully its task, and is able to contemplate the utmost possible enlargement of it which can happen, and it is engaged in the performance of it soberly, thoughtfully, deliberately, and without any sense of embarrassment or self-distrust. It is hardly to be expected that distrust abroad should subside as rapidly as alarm at home, but our financial soundness cannot be a subject for speculation abroad very long after the probability of a defeat of the revolution shall have been admitted.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Pike.

No. 54.]

DEPARTMENT OF STATE,
Washington, May 10, 1862.

SIR: Your despatch of April 16, 1862, (No. 46,) conveying the reply of the minister of foreign affairs for the kingdom of the Netherlands to your suggestion of a modification of their decree extending shelter in the ports of that country and its dependencies to piratical vessels engaged in depredating on the commerce of the United States, has been received.

Certain maritime powers, of which the Netherlands is one, precipitately conceded belligerent rights to a faction in this country that had not at the time put a single war vessel afloat, and offered the shelter and hospitalities of their harbors to the corsairs, three or four of which, in the course of the year, that faction sent forth to destroy our commerce, until, at last, not one such enemy remains at sea, nor is there left a harbor on the whole of our three thousand miles of coast where an insurgent can enter or from which he could escape. The government of the Netherlands, when this unfriendly policy is a second time brought home to its knowledge, insists that it cannot be relinquished. In the meantime the apparent suppression of the piratical practices of the insurgents, which has been already effected by this government, has rendered the question at issue between us and the Netherlands an abstraction. We may, therefore, probably remain content with the assurance of the Netherlands that they will not suffer their harbors to be made a basis for maritime war against the United States.

It remains therefore only to protest against the decision of the Netherlands government, and to refer the difference to the candid judgment of mankind. It will be in any case consoling to the American people to reflect that in maintaining their maritime independence they have come under so few new obligations to friendly powers.

You may make these sentiments of the President known to the minister for foreign affairs.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c.*, *&c.*, *&c.*

Mr. Pike to Mr. Seward.

No. 49.]

United States Legation,
The Hague, *May* 14, 1862.

Sir: I have the honor to acknowledge the receipt of your despatch of April 16, (No. 51.)

You will have received the reply of the new cabinet here on the question to which that despatch mainly refers, and I await your instructions as to what response, if any, shall be made to that communication.

Just now this government has under consideration the question of the existing validity of the treaty made between Holland and the United States in October, 1782, to which you had occasion to refer in the recent discussion with Baron Von Zuylen. The cabinet of M. Thorbecké have determined to bring the subject before the legislative body now in session, and a discussion thereon may be expected this week. I shall duly acquaint you with the result of these deliberations.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. William H. Seward,
Secretary of State.

Mr. Seward to Mr. Pike.

No. 55.]

Department of State,
Washington, *May* 21, 1852.

Sir: Your despatch of April 30 (No. 48) has been received.

It is very interesting to notice the attention which is at this moment bestowed by the maritime powers upon the subject of improving their naval armaments with the use of iron armor. The improvement is of vast importance as a means of defence. It remains, perhaps, to be seen whether it can be perfected so as to be useful in aggressive warfare against distant states. Certainly no nation needs to adopt it more promptly than the Netherlands, if they are exposed to war from any cause, and none can adopt it more easily or more properly. It seems to us, however, that the warlike energies of European states might be safely and advantageously relaxed, if they could by some agreement come to an understanding to leave to each nation the exclusive care and management of its own political affairs. Foreign nations, as your paper shows, are just now beginning to experience severe suffering from their departure from this safe principle of conduct in regard to the existing troubles in the United States. The manufacturers of Manchester require an address from a member of the ministry to reconcile them to severe privations. It is easy to see that those privations could not have occurred had British merchants been prevented as well as prohibited from supplying materials and munitions of war to the insurgents. The Belgian artisan is reduced to five cents per day. He would not have fallen upon such evil times if the insurgents had been denied supplies of Enfield rifles at the manufactories of Liege. The manufacturers at Lyons implore aid from the Emperor. But they would have needed none if France had withheld the concession of belligerent privileges from the insurgents. The Netherlands would have secured the friendship of the people of this whole continent forever if they had shut their ports against the privateers who stole out from our harbors to depredate upon the commerce of their own country. It might be flattering to our national pride, if we chose to indulge that passion, to see European states studying our models of ships-of-war, but it would be far better for them as well as for us if they should lend their great influences in co-operation with our efforts to the restoration of peace and harmony here and throughout the world.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c, &c.*

Mr. Pike to Mr. Seward.

Mo. 50.]

UNITED STATES LEGATION,
The Hague, May 28, 1862.

SIR: I have had the honor to receive your circulars of the 2d and 5th of this month in relation to the recovery of New Orleans, and see by the public journals that the proclamation of the President in respect to the blockade of that and other southern ports has been issued.

This prompt and timely movement must remove the only pretext France and England could have for interference with our affairs. The distress in their manufacturing districts is, however, great, and must be growing greater. In some late observations I have made along the channels of trade leading to the interior of France, Belgium, and Germany, I have seen more or less cotton moving, but I have found on inspection that none of it was American, yet all must now perceive that there is nothing left but to wait the progress of events, which cannot be hastened by interference. If France has looked upon any possible complications hostile to us, through the affairs of Mexico, I judge she will now be disposed to review such reflections. The movement there, as viewed here, in well-informed circles, is regarded as developing a purpose on the part of the Emperor to strengthen his prestige and his dynasty by coming foward as the supporter of the church party in that county. Though not in favor with the Catholics, he makes himself necessary to them in Rome, and he seems to aim to occupy a similar position in Mexico. It is undoubtedly in harmony with his plans to put money in the pockets of influential supporters of the empire, by giving value under a new regimé to existing Mexican securities in their possession which are at present worthless.

These views seem to me more reasonable than the often-suggested idea that the invasion of that unhappy country has for its object to re-establish a monarchy there for the benefit of decaying royal families in Europe, or as a compensation for disturbed political relations on the continent. But your sources of information on this subject render any remarks of mine thereon superfluous.

It is difficult to express the feeling of exultation with which the triumphant march of the government in quelling the rebellion is received by its friends in Europe. The old sentiment of pride and confidence in American institutions is fully returned, so admirable proves their working in the present great emergency. The wide-spread element in European society, which has wished us harm, is silent before the unexpected and commanding development.

I have the honor to be, with great respect, your most obedient servant.

JAMES S. PIKE.

Hon. William H. Seward,
Secretary of State.

Mr. Seward to Mr. Pike.

No. 58.]

Department of State,
Washington, June 4, 1862.

Sir: I have to acknowledge the receipt of your despatch (No. 49) of the 14th ultimo, and to state that former instructions render reply unnecessary to the refusal of the Dutch government to modify its decree extending shelter to insurgent vessels.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

No. 51.]

United States Legation,
The Hague, June 11, 1862.

Sir: Since my last, under date of May 28, I am in receipt of your despatches Nos. 52, 53, and 54, and of your circular of May 8.

I have made the reply to Mr. Van der Maesen de Sombreff, as directed in your despatch of 10th of May, (No. 54,) and the question treated therein remains without change. From an interview with Mr. Van der Maeser I learn that his government views the treaty of 1782 as obsolete. The discussion thereon, to which I referred in a late despatch, did not go beyond a parliamentary declaration by the ministers of foreign affairs to this effect, which was acquiesced in by the legislative body.

There is a feverish state of public mind in relation to American affairs, which the late dash into the Shenandoah valley by the insurgents, and consequent retreat of our forces under General Banks, has tended to increase. The industrial interests of Europe so earnestly desire the termination of hostilities, that everything which looks like prolonging the contest promotes fresh inquiries into some new methods of terminating the suspense. The suggestion is thus now renewed for propositions of mediation or arbitration of the great powers. But while the present determined attitude of the government and people of the loyal States continues it does not seem probable that these suggestions will result in any definite action. Still I believe it is not too much to say that it would create no surprise in European circles if something of this sort should take place, unless the rebellion should give signs of a sudden collapse.

I have the honor to be, with great respect, your obedient servant,

JAMES S. PIKE.

Hon. William H. Seward,
Secretary of State.

Mr. Seward to Mr. Pike.

No. 59.]

DEPARTMENT OF STATE,
Washington, June 21, 1862.

SIR: Your despatch of May 28 (No. 50) was duly received. Our military affairs continue prosperous. The insurgents practically are concentrating their energies in an effort to save Richmond. They still dream of deliverance from Europe; but the time for the indulgence of such delusions has passed

I do not wonder that Europe fails to apprehend the policy of France in regard to Mexico. Embarrassments often result from the misemployment of standing armies abroad. Yet what is to be done with such armies when they are without occupation at home?

I imagine that our policy, which practically dispenses with standing armies in time of peace, will prove to be the wisest one.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

No. 52.]

UNITED STATES LEGATION,
The Hague, June 25, 1862.

SIR: I have had the honor to receive your despatch of June 4, (No. 58,) which came by yesterday's mail.

I had previously received copies of two "memorandums," dated respectively the 30th and 31st May, in relation to interviews of the British and French ministers with the Secretary of State upon events occurring at New Orleans, enclosed with your despatch of June 3, (No. 57.)

The daily voluntary sacrifices of men and money, made and making by the United States in support of their government, is a spectacle so extraordinary, both in character and extent, as to be viewed with profound emotion in Europe. The federal government has developed a strength, and the people have exhibited a purpose and a resolution so striking, that every hour deepens the impression that interference with American concerns by the governments of Europe would be unavailing. The magnitude of the case quite overshadows all ordinary courses and motives of action, and has nearly silenced even hostile speculation.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 60.]

DEPARTMENT OF STATE,
Washington, July 9, 1862.

SIR: Your despatch of June 11 (No. 51) was received.

The impatience of Europe for a close of our civil war, which you describe, has not failed to arrest the attention of this government. Illogical as it is, the United States have acted in the emergency just as they would have done had the European States a right of protest, remonstrance, or urgency in the matter. The civil war would have been ended long ago had those powers held an attitude otherwise than encouraging to the disturbers of our national peace. This government has practiced the most careful justice and the most liberal forbearance on all subjects calculated to excite passion or engender ill will abroad.

It was not until peaceful means failed that it committed the integrity of the Union to the trial of civil war. It has no exemption from the laws of Providence, which make that form of trial one of time and hazard. It claims, and it will insist upon, its full right as a belligerent in the emergency. Those know least of the American people who suppose that for a moment they will hesitate to maintain that integrity, under any circumstances, with whatever of strength and resources they have, no matter who may propose, in whatever form, to intervene in the controversy. We seek peace at home and peace abroad. So earnestly do we seek it that we may, in any case, wait until aggression gives us the attitude of self-defence. If European states are as just and as sincerely desirous of peace as we are, the war cloud will pass over without producing disaster or greater distress.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c.*, *&c.*, *&c.*

Mr. Pike to Mr. Seward.

[Extracts.]

No. 54.]

UNITED STATES LEGATION,
The Hague, July 16, 1862.

SIR: I have the honor to enclose you my account for the quarter ending June 30.

Since my last I have your despatch of June 21 (No. 59.)

The Japanese embassy, now making the tour of Europe, have spent some time here during the last few weeks, and have been the recipient of official and other civilities. The King fixed a day on which to receive them while they were yet in London, but they failed to extricate themselves from the blandishments of that metropolis in season to reach here at the time appointed. They came directly afterward, but meantime his Majesty had been taken, by affairs of state, to his country-seat, and the ambassadors were compelled to wait a fortnight for his return.

This government has declined to accede to their request to postpone the time stipulated by treaty for the opening of the Japanese ports, and awaits the action of the French government on that question.

The French minister at this court, Count Sartiges, has just returned here from Paris, where he has been absent several months on leave.

He informs me that the fall of New Orleans produced a profound impression in Paris, and that, if it should be followed by the federal occupation of Richmond before the close of the campaign, the rebellion would be regarded by the French government as virtually overcome.

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The check to our arms before Richmond will be fruitful of a large crop of propositions from this side for a relaxation of the blockade, settlement, mediation, &c., and some of them may take an urgent form. According to my views, heretofore expressed, the time is about up when the pressure of the cotton question will begin to show itself in the action of the great powers upon our affairs, and the reverse which it is reported General McClellan had met with comes at an opportune moment to afford a convenient pretext.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. William H. Seward,
Secretary of State.

Mr. Pike to Mr. Seward.

No. 55.]

United States Legation,
The Hague, June [*July*] 23, 1862.

Sir: This has been a week of very great excitement in relation to American affairs. The telegraph has performed its usual office of misrepresenting and prejudicing the cause of the federal government to a greater extent than common. It has been reported, for example, by telegraph to the London Times, and by that means the news has been sent all over Europe, that General McClellan's army had capitulated, and the commander himself had fled on board the gunboat Galena. With this was communicated other circumstantial details of a similar character. The later advices show that the intelligence thus everywhere disseminated was simply maliciously false. The object of such reports is to confuse the European apprehension of our affairs, and thus work mischief to our cause, and that is accomplished.

The organs of the ruling classes in Europe are, of course, everywhere against us, and always must be while they are legitimist and we are republican. They thus find delight in seizing upon a momentary disaster to the arms of the republic, and in exaggerating its importance, and misrepresenting its character. It is by such shallow devices they flatter themselves they strengthen the rotten pillars of their own political system. The American government must fight all its battles, and secure all its triumphs, military and civil, in the face of a steady, uninterrupted current of hostile sentiment from this side of the Atlantic. It has been so thus far, and it will be so to the end. We shall have the congratulations of these countries and their moral support when we shall want neither, not a moment before. It is gratifying to find, among the great body of the people, an instinct and a knowledge that fully understands the craft of the ruling classes. The sympathy of the masses of the European people is, unquestionably, with the government and people of the loyal States, and it only needs opportunity to show itself in a way to convulse the entire continent. This encouragement to the reactionary movement in the United States by its sympathizers in the old world, it is but natural to suppose, will engender a new stimulus to the revolutionary temper of these old countries, and thus work out a compensation in aid of those who labor to extend the blessings of good government based on popular rights, the champion of whom is seen to be, by all the world, the now struggling government of the United States. And it might not be amiss to inculcate the idea that, if European governments will have it so, it may turn out that its labors to this end will not be confined to the American continent.

The second chamber of this kingdom, by a vote of 46 to 12, have finally passed the bill decreeing emancipation to all the slaves in the Dutch colonies where slavery yet remains, of whom there are still about 36,000. The sum of 300 florins has been fixed as the amount of indemnity to the master for each slave, without distinction of age or sex. Emancipation is to take place on the 1st of July, 1863, with a surveillance of government agents for ten years. The subject, long debated and long postponed, has been finally brought to a head by the activity of the new liberal government.

The crops of this kingdom, and up the valley of the Rhine into the heart of Germany, give promise of great abundance.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 63.]

DEPARTMENT OF STATE,
Washington, August 4, 1862.

SIR: Your despatch of the 16th of July (No. 54) has been received.

I incline to think, with all respect, that the Dutch government is mistaken in declining to accede to the Japanese proposition for delay in opening the additional ports. We acceded to it on the recommendation of our late minister there, Mr. Harris, who has proven himself very wise and sagacious in his intercourse with that singular, but certainly very well-disposed government.

The disappointment at Richmond confounded and bewildered our own people. It would not be surprising if they should in turn, by their utterances of despondency and apprehension, have bewildered and misled Europe. Unfortunately for a true understanding of the situation all the thoughts and impulses of the Union portion of the country are fully exposed, while a veil hides the trials, griefs, sorrows, perplexities, and fears of the insurgents. The time needful for comparison of opinion among us is, however, now nearly past. We have improved it to take notice of the actual condition of the cause and to make the necessary preparations for a more effective prosecution of the war than we could have made had not the disappointment happened. In the meantime, trade begins to revive strongly in New Orleans, and I look to an export of cotton which will convince the European world that its prosperity is not wisely to be sought through the overthrow of the American Union.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

[Extracts.]

No. 56.]

UNITED STATES LEGATION,
The Hague, August 6, 1862.

SIR: The last mail brought me your despatches Nos. 60 and 61, of July 9 and 15, and also the circular of the department in relation to passport fees, and your note of the 14th of July, covering a copy of the bill submitted to Congress by the President in relation to a compensated emancipation of the slaves. The message of the President in respect thereto, to which you refer, did not accompany it.

Europe waits to see how the country will bear the blow inflicted at Richmond. That blow has, to a great extent, neutralized the impression made here by the capture of New Orleans. I have heretofore given my opinion that the cotton famine was likely to prick on the leading governments of western Europe to some kind of interference in our affairs. I have also said that the magnitude and intensity of our contest had of late tended to deter all parties from meddling in any way These conflicting incentives have produced a dead-lock, and I see no prospect of any change at present.

I feel confident that England is much alarmed at the existing situation in its bearing upon her transatlantic affairs, and thoroughly determined to avoid as far as possible all complications, and to get everybody back to a state of peace as fast as she can.

As to France, the universal sentiment seems to be that the Mexican invasion is a capital blunder and without compensations. The romantic love of glory for which that nation is distinguished is at present satisfied, and the popular urgency is turned into the unwonted channel of money making. The efforts of the best minds are directed to retrieve the national finances, which a long course of unrestricted expenditure has left in a dilapidated and threatening condition. The inference points to peaceable dispositions on the Emperor's part, from necessity if not from choice.

It is the remark of shrewd observers that the leading purpose of the Emperor's policy has always been to give a direction to the prevailing currents of public opinion. At present that opinion does not favor distant military expeditions.

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The telegraph delights to torment us semi-weekly with lying intelligence or adverse speculations on the state of affairs in America, which the authentic news of the public journals never sustain.

When we break through the obstructions at Richmond, and our new gunboats shall reduce Charleston and Savannah, I do not believe Europe will see in the remaining debris of the rebellion substance or compactness enough to warrant the recognition of it as an independent government, but will be content to see the insurrection wear itself out by its own ineffectual struggles.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Pike.

No. 64.]

DEPARTMENT OF STATE,
Washington, August 8, 1862.

SIR: Your despatch of the 23d of June, meaning July, (No. 55) has been received

The disappointment of the public expectation of the capture of Richmond by General McClellan produced a shock and confusion here which quite prepared me for the news of augmented prejudice against the cause of our country in Europe which you have sent. It belongs to the nature of popular masses to be profoundly affected by incidental triumphs and failures, but the change from buoyancy to despondency is usually not more rapid than the transition from despair to exultation.

The mails of this date will show you that the hour of sadness and perplexity has passed away here, and that the nation is bringing into the field with alacrity and enthusiasm re-enforcements which will augment the armies of the government to a million men, while naval preparations are going forward with equal vigor and on a proportionate scale.

We do not desire to contemplate foreign war unnecessarily, but we do not shrink from it when that prospect is forced upon us. Looking back through the history of these troubles, I can fix on no instance in which we have failed in our duties to foreign states, while there has been more than one occasion on which we have practiced liberality, which might have been expected to propitiate friendship and favor.

We have some confidence that the governments of Europe may remain satisfied with the practice of justice and of prudence towards us. But this confidence rests upon the conviction that no interference with us could by possibility secure to them any benefits equal to those which they are now deriving from peaceful and friendly relations. We do not build expectations of favor upon the justice and beneficence of our cause, but we are at the same time entirely satisfied that it is a cause which mankind will not willingly suffer to perish, and that those who wantonly attack it will find that they have hazarded as much as its defenders.

You will not fail to express to the government of Holland the satisfaction with which the United States have learned that that government has completed the work of emancipation throughout all its dependencies.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq.,

Mr. Pike to Mr. Seward.

[Extract.]

No. 57.]

United States Legation,
The Hague, August 13, 1862.

Sir: * * * * * * * * * * *

Europe waits with commendable patience for the next movement of our government upon the insurgent States. It is expected that its next military demonstration in Virginia will be successful. The late check at Richmond is attributed to want of skill rather than want of power.

This industrious and self-sustaining people seem to be but little affected by the convulsions of our continent. Their principal branches of industry prosper as usual, and their public revenues are undiminished. The new administration has thus far gone on with vigor and success, but it is only now beginning to enter upon the difficult question of colonial affairs, which is the work upon which its predecessor foundered. The country has derived a very large revenue from the island of Java for many years, but still the question arises whether it has been done in the best way or with a proper regard to the rights and interests of all concerned.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Pike to Mr. Seward.

[Extract.]

No. 58.]

United States Legation,
The Hague, August 27, 1862.

Sir: I have to acknowledge the receipt of your despatches of August 4 and 8, Nos. 63 and 64.

The progress of events in Italy, where Garibaldi has entered anew upon a revolutionary career, absorbs public attention to the exclusion of almost all other subjects for the moment. The solution of the Italian question is admitted to be even more difficult than the American. And for the present, at least, the state of affairs there creates a sensible diversion from our concerns. The leading governments may soon find enough to do at home to drive away all thoughts of meddling with transatlantic affairs.

I understand, from good authority, that the stock of cotton in France can be made to last till January, but that after that time, unless supplies should come forward, the mill owners anticipate serious trouble with their workmen. The manufacturers, however, are not impressed with the idea that the government should, or can, do anything for their relief, so far as the United States are concerned.

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I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Pike to Mr. Seward.

No. 59.]

UNITED STATES LEGATION,
The Hague, September 3, 1862.

SIR: I have to acknowledge the receipt of your two circulars of the 8th of August, Nos. 18 and 19.

The mighty preparations of the government to subdue the rebellion, to which you allude in your last despatch, and the extraordinary resources displayed by the country generally, cause involuntary expressions of wonder and surprise among foreigners, notwithstanding the railing of the organs of the ruling classes against the efforts to preserve the great republic.

People in Europe find it hard to understand how the United States have been able to expend eight hundred million dollars in sixteen months in war; endure the sacrifice of hundreds of millions of southern indebtedness; buy back enormous amounts of American securities from foreign holders, (all they desire to sell,) and yet still show unparalleled individual deposits in bank, and a rate of interest that exhibits a general plethora of money.

They are still farther confounded at beholding the levy of six or seven hundred thousand men, withdrawn from industrial pursuits for more than a year, followed by no rise in the price of food, but on the contrary by an exhibition of unusual abundance at home after immense and unsurpassed exportations to foreign countries.

Thinking men witness these indications of seemingly unbounded resources with astonishment. Disliking republicanism, execrating the war because of its interference with domestic prosperity here, and because it thus menaces the tranquillity of Europe, the ruling classes, while long since forced by experience to believe in the ingenuity, the enterprise, and the activity of the Americans, had not looked for this remarkable display of wealth and resources. Neither, I may say, had our best friends counted upon it. You may be sure the spectacle produces a great influence upon the opinions of men and the action of governments. With such a country fully roused and determined to destroy the rebellion of the slaveholders, there are few sound judging men venturesome enough to think it will not succeed. It is felt that within the sphere of its domestic action nothing can be safely considered impossible to the government of such a country. Its failures, thus far, are seen to be owing to the accident of incompetent men in responsible places; something which is of temporary duration and comparatively easy of reform. Its real power is properly held to be the only just measure of its ultimate efforts, and this is acknowledged to be apparently overwhelming for the reduction of an insurrection of less than a quarter part of its population. Along with the expression of these sentiments a reaction has recently taken place in American securities on this side, carrying them to as high a point as they occupied previous to the suspension of specie payments by our banks.

Our affairs in Europe are thus in a strong and healthy position, notwithstanding the interested clamor of our enemies through the press and elsewhere, and the solid judgment of the managers of European affairs is not now any more convinced of the final success of the insurgents than it was a year ago.

The recent announcement of the capture of Garibaldi has produced an extraordinary sensation over Europe. Yet he is the wolf whom it is not safe either to hold or to let go.

I have the honor to be your most obedient servant,

JAMES S. PIKE.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 67.]

Department of State,
Washington, September 6, 1862.

Sir: Your despatch of the 13th of August (No. 57) has been received. It is accompanied by papers furnished to you by Messrs. Hope & Company, of Amsterdam. For your information upon the subject, and in order that you may be able to communicate fully with those gentlemen, I give you copies of my two latest communications to the Netherlands minister here, Mr. Roest Van Limburg. These papers show the disposition of that case which has been made.

In the panorama of this war, as in others, the scenes are not definitely fixed either in their order or their effect. Our army, which became unfortunately divided in the attempt to take Richmond, has been again consolidated, but not without some though not disastrous loss; and it is now, we hope only temporarily, again employed, not in aggressive movements, but in defending this capital.

The general aspect of military affairs is not altogether such as patriots could have desired. But we are consolidating and augmenting our forces, and preparing to recover the military situation with all the energy possible.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Pike.

[Extract.]

No. 69.]

Department of State,
Washington, September 15, 1862.

Sir: Your despatch of August 27 (No. 58) has been received.

Your remarks on the condition of Europe, in view of the revolution inaugurated by Garibaldi, seem to be very just. We now learn, however, that that general has been wounded and captured on the coast of Calabria by a French force, and has been conveyed a prisoner to Spezzia. This event may be reasonably supposed to have brought the insurrection to an end. Nevertheless, it seems a question of much interest how the discontented Italian masses have been affected by the misfortunes which have befallen their cause and their chief.

You have doubtless already been informed of the reverses which attended our arms in the vicinity of Manassas, in a series of battles, which occurred on the 28th, 29th, and 30th of August, and the 1st and 2d of September. The government and the country have a painful conviction that these disasters were unnecessary, and that they are the result of gross military misconduct. An investigation has been ordered, for the purpose of fixing the responsibility where it belongs.

Probably you are not ignorant that an insurgent army, emboldened by their success on those occasions, simultaneously advanced towards the Ohio river, threatening Cincinnati, while the force which had been victors at Manassas advanced from that point northward, crossed the Upper Potomac between Leesburg and Harper's Ferry, and occupied Fredericktown, in the State of Maryland. At that point they menaced equally Washington, Baltimore, and Harrisburg. These were the transactions of ten days, and they naturally excited profound alarm and, as usual, much discontent. Contrary to all principles of reasoning, the very boldness of these movements seemed to be an augury of the success of the insurgents in their avowed design to transfer the war to the soil of the loyal States.

But rashness in this, as in other cases, has received its rebuke and punishment. Yesterday we had information that the insurgents in the west had receded and were retreating without waiting to confront the forces prepared to receive them, and to-day we have General McClellan's report of a decisive battle fought by him with the insurgent army in Maryland, with the results of their retreat and flight, panic stricken, and demoralized. It is especially cheering to know that the new volunteers which had been incorporated into McClellan's army without having previously been under fire, and without even having been at all drilled, disciplined, or exercised, exhibited a perfect courage and steadiness in the conflict. The nation will acquire new courage, and its persevering resolution to preserve its integrity will be fortified by this great and auspicious victory.

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I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

No. 60.] United States Legation,
The Hague, September 17, 1862.

Sir: I have had the honor to receive your circular despatch (No. 65) of August 18, your circular (No. 21) of the same date, and your despatch (No. 66) of the 26th of August.

Your information contained in the latter, that the junction of the armies under Generals McClellan and Pope had been safely effected, and received with great satisfaction. That satisfaction is, however, qualified by subsequent information brought by the telegraph, *via* Cape Race, to the 5th instant, to the effect that the federal forces have been forced back into their intrenchments on the Potomac.

Should this information prove true, it will be a disappointment to expectations formed on this side in respect to the strength and operations of our consolidated troops in Virginia.

We always look, however, for the authentic details of the news from America to be better for our cause than they are represented by the telegraphic reports of the hostile operators, with which we are constantly served.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. William H. Seward,
Secretary of State.

Mr. Seward to Mr. Pike.

No. 70.] Department of State,
Washington, September 19, 1862.

Sir: Your despatch of September 3 (No. 59) has been received, and submitted to the President.

It is, indeed, pleasant to know that the anxiety of European capitalists about American credit has so far passed away that they are not unwilling to continue to receive the remunerative dividends paid by the loyal States and their flourishing corporations.

On the 6th instant Robert E. Lee, claiming to be general commanding all the insurgent armies, startled the country by appearing in Fredericktown with a force, as he alleged, of two hundred thousand men. He immediately proclaimed deliverance to the people of Maryland, and invited them to join the treasonable confederacy which he served. To-day, without having gained a hundred adherents in the State, and after being defeated in two pitched battles, he is recrossing, under the fire of the federal troops, into Virginia. This result is indicative of the moral soundness of the Union cause, as well as of the physical strength which it commands.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

[Extract.]

No. 61.] UNITED STATES LEGATION,
The Hague, September 24, 1862.

SIR: * * * * * * * *

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The late repulse of our forces at Manassas, and the inroad of the confederate troops into Maryland, is regarded with great diversity of opinion on this side. By some they are considered to point to a speedy solution of our difficulties on the basis of a separation of the free and slave States. By others the invasion of Maryland is regarded as an event likely to lead to the destruction of the main army of the insurgents, and thus throw everything back upon the results of future campaigns, where the advantage would again be all on the side of the federal government.

Both these views have already found expression on the stock exchange, that sure barometer of public sentiment in commercial countries. The former in the advance of Virginia and other southern stocks, and the latter in the steadiness of northern securities, under the full torrent of adverse news and hostile criticism.

Every friend in Europe now awaits with infinite impatience and profound solicitude the march of events now in progress, pregnant, as they seemingly are, with results of the highest importance.

I have the honor to be, with great respect, your obedient servant,

JAMES S. PIKE.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 72.] DEPARTMENT OF STATE,
Washington, October 8, 1862.

SIR: Your despatch of September 17 (No. 60) has been received.

The unfavorable aspect of our affairs under which it was written has given place to another which illustrates the strength and vigor of the Union and the loyalty and enthusiasm of the people.

The repulsion of the insurgents from Maryland, Cincinnati, and Ohio, with the recent triumphs of the national arms in Missouri and Mississippi, need no explanations to show their importance.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Pike.

No. 74.] DEPARTMENT OF STATE,
Washington, October 13, 1862.

SIR: Your despatch of September 24 (No. 61) has been received.

In these times, when civil wars disturb several states, and apprehensions of war alarm so many others, it is pleasant to read the assurance given by the King of the Netherlands to the legislature of that kingdom that it continues, with its dependencies, in the full enjoyment of peace and prosperity, and that its finances are in an improving condition.

I do not dwell upon the military situation of our own country and its prospects. They are changed much for the better since your despatch was written. But this is so apparent as to need no special effort on my part to make it manifest. Careful and candid observers, I think, would agree that the civil war is at its crisis, and that the country is not likely to be either divided or to lose its invaluable institutions.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c.*, *&c.*, *&c.*

Mr. Pike to Mr. Seward.

No. 63.] UNITED STATES LEGATION,
The Hague, October 15, 1862.

SIR: I have to acknowledge the receipt of your two despatches of the 15th and 19th of September, (No. 69 and 70,) and also your circular of the 22d of the same month, covering a proclamation of the President in reference to the slaves of persons who may be in rebellion against the United States on the 1st of January next.

As I have often had occasion to remark, the ruling classes of Europe are in no way favorable to the American government, or to the principles on which it is founded; but, besides this, they have hitherto found a pretext for their semi-hostility to the efforts of the government to subdue the rebellion, in the allegation that it was engaged in no contest for the principles on which it professed to rest its claims to the consideration of mankind, and thus could not claim to challenge even the respect of its adversaries; and now that the President makes proclamation of his purpose to emancipate the slaves of rebels, and so remove in a degree the grounds of this stereotyped complaint, there will be, I presume, neither hesitation nor difficulty on their part in discovering some equally good reason why their good will should be still further withheld. Our case in Europe is a very plain one—democracy everywhere supports the federal government; anti-democracy everywhere opposes it. If there be exceptional cases, it is where policy temporarily dominates principle. The rebellion of the slaveholders being a bloody protest against the progress of free principles, it finds itself in union with the reactionary party of Europe, and of its entire aristocracy. By these it is therefore defended and upheld. It is the touchstone of every European's political predilections and associations. All the world knows that this great and powerful class feel no real hostility to any existing form of national oppression. The white people of Europe have obtained no share in government, and no recognition of any political rights that were not wrenched by main force from the grasp of dynastic rule. What the ruling classes have denied to their own subjects, so long as denial was practicable, they do not feel, and will not admit, that the African held in slavery in America has any claim to exercise; and there is no logical reason to conclude, and no fact that I am aware of to show, that they will look with the faintest interest upon either the social or political emancipation of the blacks. The proclamation will not, therefore, unless I misjudge, operate to change the attitude of foreign governments toward the United States in their present struggle, however much that struggle may be intrinsically ennobled by making it one for widening the area of freedom. On the contrary, so far as it may be supposed, that it will encourage efforts on the part of the slaves to break their chains; the reactionary party will condemn it, as they condemn everything that tends to further the general cause of human rights at the expense of the privileged classes.

The only convincing argument with this class would be a commanding general able to cope with the rebellion.

As to the mass of the intelligent people of Europe belonging to the liberal party in politics, (outside of that island known across the channel * * * *) of which the German may be taken as the type, they have been universally friendly to the government, and have, to a great extent, understood its difficulties as well as sympathize in its efforts. The proclamation will confirm their faith, and invigorate their hopes, that this atrocious rebellion of the slaveholders may meet with its just deserts.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 76.]

DEPARTMENT OF STATE,
Washington, November 5, 1862.

SIR: Your despatch of October 15 (No. 63) has been received. I know not how profitable it might be for me to examine the very sagacious and patriotic views you have presented on the subject of the war, and the policy with which it is carried on by the government. It is to be remembered that the country, so far from remaining in a normal state, is undergoing all the agitation of an attempted revolution. Measures and men, even at home, are harshly judged under the influence of the hopes and apprehensions of the hour; and these are exaggerated by interests, ambitions, and passions which varying occasions stimulate. The like haste of judgment upon the same questions necessarily reveals itself in Europe, for the relations of nations are too intimate to allow a disturbance in any one state to be confined within its own limits. Perhaps it is not unwise to believe that the agitation here, which has been going on for thirty years, and which broke out into open rebellion eighteen months ago, has at last reached its crisis. The exigencies have been met, and a rapid process of exhaustion of the material as well as the moral elements of the war has been going on, and the time cannot be distant when the nation will, from necessity, seek repose. Nothing can be more difficult than it is to mark the time when this condition begins to discover itself in any conflict. But if I am correct in supposing it has been reached in the present case, then I think we have occasion to congratulate ourselves upon the good position in which the cause of the Union stands. The strength of the government was never greater, its means never more completely at command, its present vigor in applying them has at no time been surpassed. Our military and naval expeditions are now on the eve of their departure, and we look for success equal to that which attended the campaign of the last spring. On the other hand, we see that the material strength of the insurgents has been much reduced, while they have not yet gained any permanent advantage anywhere. It can hardly be presumed that the European states will interfere to complicate the strife under these circumstances. Such apprehensions are the more unreasonable when we consider how difficult these states would find it to adjust new and beneficial relations with this country if divided into intensely antagonistical republics, to say nothing of such states reversing their previous policies in regard to the termination of slavery in their colonies. Who can tell what would be the questions which would arise in the British colonies lying northward of us if this Union of ours is divided? What shall come up in place of our existing relations of amity and commercial reciprocity? What shall become of the policy of extinguishing slavery in the West India colonies of Europe after a slaveholding nation shall have been established on the shores of the Gulf of Mexico? What is to be the effect of such an establishment upon the African slave trade when the new slaveholding nation desires to grasp not only Mexico, but also even the islands of all the European states within the Gulf. I know that these questions have not yet presented themselves in Europe, but it is quite another thing to suppose that they will be left to sleep while the question of intervention is considered by the governments concerned.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Pike.

No. 79.]

DEPARTMENT OF STATE,
Washington, November 21, 1862.

SIR: Your despatch of November 5 (No. 65) has been received. I have communicated to the Postmaster General Mr. Van der Maesen's note (which accompanied the despatch) on the subject of a postal convention.

Your proceeding in submitting to the minister for foreign affairs the proposition of this government on the subject of Africo-American colonization is approved.

It is not perceived how the European holder of bonds is affected by the temporary depreciation of the government currency. His interest is paid in gold. Perhaps, however, this class of capitalists is not the one to which you allude. If you refer to European creditors of individuals or corporations, it is admitted that they may suffer loss, but it is one which falls equally upon American citizens, and even upon the government itself, which protects their property and their rights. So long as the country remained at peace they profited by the high rates of interest received. Insurrection is a misfortune that some time or other inevitably befalls all nations, and certainly the existing civil war has not been instituted by the government, or wilfully provoked. If the government paper is temporarily depreciated it is a consequence of the civil war, and citizens and foreigners, all alike, may bear their losses and be thank ful that the government maintains itself, and so preserves all private personal interests from ruin. Moreover, the depreciation is likely to prove only a temporary one. Congress is soon to assemble, and it will doubtless apply a remedy. Certainly the national resources are sufficient to furnish the means, and it is not to be doubted that the national legislature possesses the wisdom requisite to discover and apply them.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Van Limburg.

DEPARTMENT OF STATE,
Washington, June 5, 1862.

SIR: In regard to the papers which you informally left with me yesterday while waiting for the instructions of your government, I have the honor to say that the President deeply regrets the conflict between the military authorities and the consulate of the Netherlands, which occurred at New Orleans just at the moment when preparations were being made for the restoration of order and the renewal of commerce.

The statements of the transaction which have been received show that Major General Butler was informed that a very large sum of money belonging to insurgent enemies was lying secreted in a certain liquor store in the city, and he very properly sent a military guard to search the premises indicated. The general says that it was reported to him that Mr. Conturié, who was found there, denied all knowledge of any such deposits, and claimed that all the property in the building belonged to himself personally. These repeated assertions of Mr. Conturié, of course, determined the general to proceed with the search. Mr. Conturié, at this stage of the matter, avowed himself to be the consul of the Netherlands, and pointed to the flag which he had raised over the door. He withheld all explanation, however, concerning the property for which search had been ordered, and protested against any examination whatever of the premises on the ground of the immunities of the consulate. He was thereupon detained, the keys of the vault were taken from his person, the vault was opened, and there was found therein $800,000 in specie, and $18,000 of bonds or evidences of debt, certain dies and plates of the Citizens' Bank, the consular commission and exequatur, and various title deeds and other private papers. All the property and papers thus taken were removed and placed for safe-keeping in the United States mint, and the transaction was reported by Major General Butler to the Secretary of War.

After the affair had thus been ended, the consul made written protests, in which he insisted that his detention and search were illegal, and that the specie and bonds were lawful deposits belonging to Hope & Co., subjects of the King of the Netherlands; and an agent of Hope & Co. has also protested to the same effect, and demanded that the specie and bonds shall be delivered to them.

The consul further denied that he had at any time claimed that the specie and bonds were his own. Major General Butler still insists that the deposits were fraudulent and treasonable, and were made with the connivance of the consul.

The President does not doubt that in view of the military necessity which manifestly existed for the most vigorous and energetic proceedings in restoring law, order, and peace to a city that had been for fifteen months the scene of insurrection, anarchy, and ruin, and in the absence of all lawful civil authority there, the consul of the Netherlands ought, in the first instance, to have submitted to the general the explanations which he afterwards made in his protest, with the evidences which he possessed, to show that the deposits were legitimate. If he had done this, and then referred Major General Butler to yourself or to this government, the President now thinks that it would have been the duty of the general to have awaited special instructions from the Secretary of War. The consul, however, preferred to stand silent, and to insist on official immunities, the extent of which he certainly misunderstood when he assumed that his flag or the consular occupancy of the premises entitled him, in a time of public danger, to an exemption from making any exhibition of suspected property on the premises, or any explanations concerning it.

Nevertheless, this error of the consul was altogether insufficient to justify what afterwards occurred.

It appears, beyond dispute, that the person of the consul was unnecessarily and rudely searched; that certain papers, which incontestably were archives of the consulate, were seized and removed, and that they are still withheld from him; and that he was not only denied the privilege of conferring with a friendly colleague, but was addressed in very discourteous and disrespectful language.

In these proceedings the military agents assumed functions which belong exclusively to the Department of State, acting under the directions of the President. Their conduct was a violation of the law of nations, and of the comity due from this country to a friendly sovereign state. The government disapproves of these proceedings, and also of the sanction which was given to them by Major General Butler, and expresses its regret that the misconduct thus censured has occurred.

The President has already appointed a military governor for the State of Louisiana, who has been instructed to pay due respect to all consular rights and privileges, and a commissioner will at once proceed to New Orleans to investigate the transaction which has been detailed, and take evidence concerning the title of the specie and bonds and other property in question, with a view to a disposition of the same, according to international law and justice. You are invited to designate any proper person to join such commissioner, and attend his investigations. This government holds itself responsible for the money and the bonds in question, to deliver them up to the consul, or to Hope & Co., if they shall appear to belong to them. The consular commission and exequatur, together with all the private papers, will be immediately returned to Mr. Conturié, and he will be allowed to resume, and for the present exercise, his official functions. Should the facts when ascertained justify a representation to you of misconduct on his part, it will in due time be made, with the confidence that the subject will receive just consideration by a government with which the United States have lived in amity for so many years.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. Roest Van Limburg, *&c., &c., &c.*

Mr. Van Limburg to Mr. Seward.

[Translation.]

LEGATION OF THE NETHERLANDS,
Washington, June 6, 1862.

SIR : I have had the honor to receive your note dated yesterday, through which you have been pleased to inform me that the President deeply regrets the conflict which has occurred at New Orleans between the military authorities and the consul of the Netherlands. It is with a real satisfaction—which accords fully with what I was to expect from the high sense of justice of the President and of the government of the United States—that I have seen, in the course of the note, that they view the conduct of the aforesaid authorities as a violation of the law of nations; that they disapprove of it; that they disapprove of the sanction which was given to it by Major General Butler.

After having thanked the President and the government of the United States therefor, I must permit myself to remark, Mr. Secretary of State, that a circumstance which, from the inception, the consul of the Netherlands is reproached with, must evidently be attributed to a want of clearness in the statement made by Major General Butler.

According to your note he says "that he had been informed that a very considerable sum belonging to insurgent enemies was secreted in a *certain liquor store* of the city;" whereupon you observe "that he sent, very properly, a military guard to make searches at the place indicated." But it appears to be proven that the money and articles in question were not by any means in this liquor store, but in a very different place in the city. If, therefore, Mr. Conturié was accosted in the aforesaid liquor store, his commercial establishment, he might have said, with truth, that all that was in that store was his personal property. There would, therefore, be want of clearness on the part of Major General Butler in making the declaration of Mr. Conturié bear upon the kegs, &c. Upon other allegations of Major General Butler, differing (contrary to) from the allegations of the consul, I would not desire more than yourself, Mr. Secretary of State, to express an opinion. Major General Butler makes a very serious charge against the consul, which involves a proceeding deserving of removal from office of the one or the other—that of the consul, if he has in reality received "with connivance," as Major General Butler pretends, (alleges,) a "fraudulent" deposit; that of Major General Butler, if he fail to prove that charge—for to take from one his honor is no less culpable than to take from him his property, his life. Let the government of the United States, Mr. Secretary of State, in order to throw light upon its knowledge, or (information) have the affair examined and investigated, ("investigate the transaction which has been detailed,") before it pronounces between the accuser and the accused. This could not be impugned by me; but that I appoint some one to take part—to assist—in this species of inquest, which by the proceedings themselves of the military authorities can no longer take place upon a state of things untouched, the kegs and the boxes having been carried off without any seals, having been, as it appears, opened by Major General Butler—this I could not do without granting in some measure a bill of indemnity to that which has occurred. It is what I could not take upon myself without receiving upon that point the instructions of the government of the King. There are, besides, in this affair circumstances which strike me. It seems to me that when the question relates to "fraudulent deposit," to "connivance" in acts of high treason, one should not *impute*, as Major General Butler does; one should rather *accuse;* one should not limit himself to seize upon the proofs. It would also be natural to make sure of the accused persons. And notwithstanding the consul to whom they impute so serious an act was under arrest but during a few hours—during the searches made in his vault—whilst the agent of the house of Hope & Co., who, if the consul be guilty, must be so, at least as much as he, has not been, to my knowledge, arrested. These are circumstances, Mr. Secretary of State, which seem to me of a nature to cause one to rather presume the innocence of the agent of the house of Hope & Co., and of the consul of the Netherlands, than to indicate that they are believed really guilty. You should not therefore be surprised that I recoil from the supposition of culpability, and that, as for myself, I could not consider the deposit otherwise than as legitimate until the contrary be proved. It is for Major General Butler to prove what he alleges. *Ei incumbit probatio qui dicit, non qui negat,* (the burden of the proof lies upon him who asserts, not upon him who denies,) say the Pandects. It is not for me, it is not for our consul, to prove that he is innocent. *Prima facie* the money delivered by the "Citizens' Bank" to the agent of the house of Hope & Co., to be transmitted to that house, or to be deposited with the consul of the Netherlands, is a legitimate money legitimately transferred. I could not, without having received (obtained) the orders of the government of the King, participate in any manner in an investigation which would tend to *investigate* that which I could not put in doubt—the good faith of the agent of the house of Hope & Co., the moral impossibility that that honorable house should lend itself to any culpable underplot, the good faith of the consul of the Netherlands. *Quilibet præsumiter justus, donec probitur contrarium,* (every one is to be presumed honest until the contrary is proven,) saith the ancient universal rule of justice; and this rule is true, especially where it applies to persons such as those as are in question here.

Consequently, while awaiting the orders of the government of the King, I reserve all the rights and all the demands (claims) which may be based, either by the royal government or by the Netherlands consul, or by individuals, upon the seizure of values, titles, or papers deposited at the consulate of the Netherlands at New Orleans, and more especially upon the reprehensible censured manner in which this seizure has been made. But if, on the other hand, Mr. Secretary of State, I must reserve in their entireness all the demands which the government of the King, the consul of the Netherlands, and the persons interested might hereafter have to sustain, I am happy to give you the assurance that the government of the King, upon an eventual representation on your part against the conduct of the consul at New Orleans, will receive it with all the consideration, and will right it with all the promptness, which the excellent relations which for so many years exist between the two countries may lead to expect from the government of the august sovereign who maintains, and will ever maintain, the motto, "*Justicia regnorum fundamentum.*" (Justice is the foundation of kingdoms.)

I have the honor, Mr. Secretary of State, to request you to be pleased, at an early day, to acknowledge the receipt of this note from me, and I avail myself of this new opportunity to reiterate to you the assurances of my high consideration.

ROEST VAN LIMBURG.

Hon. Mr. SEWARD,
Secretary of State of the United States of America.

Mr. Van Limburg to Mr. Seward.

[Translation.]

LEGATION OF THE NETHERLANDS,
Washington, June 7, 1862.

SIR: In my note of yesterday, of the 6th of this month, I have had the honor to offer you my thanks for the ample and decided manner in which the President and the government of the United States have censured the proceedings of Major General Butler towards our consul at New Orleans at the time of the seizure of the values and papers deposited at the consulate of the Netherlands. I afterwards corrected a want of clearness made by Major General Butler, upon which you based a reproach to the consul.

In reference to the decision of the government of the United States to throw light upon its information as to what has occurred at the consulate, and upon the allegations of Major General Butler respecting the nature of the deposit, I have stated the motives which prevent me from participating in the species of inquiry which the government of the United States is immediately to cause to be instituted at New Orleans, in order to be enabled afterwards, without delay, to return the values to the consul, or to the house of Hope & Co., should it appear that they belong to that house; or, in other words, to dispose of them according to the law of nations and justice, "*with a view to a disposal of the same according to international law and justice.*"

The sincerity of this intention, and the real desire of the President, and of the government of the United States, to terminate, not only in the most just but in the most prompt manner, this affair, highly interesting to all the nations having relations with the United States—this sincerity, and the reality of this desire, could not be, in my view, subject to the slightest doubt. I am convinced of it, and it is this conviction which causes me, Mr. Secretary of State, to ask you now to communicate to me the proofs which Major General Butler pretends to have had in his hands to accuse the consul of the Netherlands and to seize the deposit as unlawful; for it is upon proofs existing at the time of the seizure, and solely upon these proofs, upon which Major General Butler must rely; *ex post factum* there will be nothing to allege.

You could not, I think, have any difficulty in according to my request, because it can only be upon the proofs which Major General Butler has pretended to have that you retain in your possession the articles taken from the consul, who, being then in possession, had in his favor the legal presumption of a just title.

I pray you, then, sir, to be pleased, by communicating the papers which I have the honor of asking of you, to enable me to enlighten the government of the King as soon as possible upon this subject; and I avail myself of this opportunity to renew to you the assurances of my high consideration.

ROEST VAN LIMBURG.

Hon. Mr. SEWARD,
Secretary of State of the United States of America.

Mr. Van Limburg to Mr. Seward.

[Translation.]

LEGATION OF THE NETHERLANDS,
Washington, June 7, 1862.

From the first interview which I had the honor to have with you in regard to the lamentable events which took place in the course of last month at the consulate of the Netherlands at New Orleans, you have evinced a spirit of conciliation the extent of which I take pleasure in acknowledging. You have assured me that all which I could reasonably ask of you would be accorded to me.

I submitted to you the information and reports which I had received. These were sufficient to induce you to take the initiative in the reparation which at first seemed to you to be due. But, from the note which, to this end, you were pleased to address to me day before yesterday, and from the answer which I made to it on the day following, it appears that you cannot at present decide as to the allegation of Major General Butler; whilst I, until the contrary is proved, must consider our consul as acting entirely in good faith, and as being perfectly in the right to receive from the hands of the agent of the firm of Hope & Co., of Amsterdam, a deposit for that firm. There was not, according to the law of nations and universally received usages, any obligation on the part of the government of the United States to verify the contents of the kegs, which the agent of the house of Hope & Co. had declared to him to contain eight hundred thousand Mexican dollars.

In this state of affairs, which your sense of justice will hasten, as you have assured me, to put an end to as soon as possible, our consul would find himself, without some new proof of conciliation and equity on your part, in a false position. Your note of the 5th says that his consular commission and the exequatur of the President (improperly taken out of his possession by Major General Butler) will be returned to him immediately, and that he will be "permitted" to resume his functions. I have no reason to suppose, sir, that you have used this term with any positive intention; therefore I flatter myself that, while reserving to yourself any ulterior action against the consul, you will not object to considering him as I do, and as justice considers every man against whom nothing has been proved, as honorable and as acting in good faith; and that, consequently, you will not refuse to "invite" him, through my interposition, to resume his functions, while adding that you cannot consider him otherwise than as acting in good faith, and as honorable, until the contrary be proved; and while waiting for the report of the commissioner whom you are going to send to New Orleans, I have the honor, Mr. Secretary of State, to request you to be pleased, also, as soon as possible, to honor me with your reply in this regard; and I profit by this new opportunity to reiterate to you the assurances of my high consideration.

ROEST VAN LIMBURG.

Hon. Mr. SEWARD,
Secretary of State of the United States of America, &c., &c., &c.

Mr. Seward to Mr. Van Limburg.

DEPARTMENT OF STATE,
Washington, June 7, 1862.

SIR: I have the honor to acknowledge the receipt of your notes of yesterday and of this date on the subject of the proceedings of Major General Butler with reference to the consul of the Netherlands at New Orleans. The first of these communications presents several points which merit special notice, but I prefer to reserve a reply to them in detail until I shall have received information in regard to the instructions upon the subject which you expect from your government.

In answer to your note of this date, I have to remark that, in conformity with that conciliatory disposition which it has been my purpose to show, and which you very liberally acknowledge, I have no objection to your writing to the consul that it is the President's expectation that he will resume and continue in the discharge of his official functions until there shall be further occasion for him to relinquish them.

I avail myself of this occasion, sir, to offer to you a renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

Mr. ROEST VAN LIMBURG, *&c., &c., &c.*

Mr. Seward to Mr. Van Limburg.

DEPARTMENT OF STATE,
Washington, June 7, 1862.

SIR: In answer to your second note of this date, in which you request the proof upon which Major General Butler based his proceedings against the consul of the Netherlands at New Orleans, I have to inform you, with entire frankness, that my communications to you upon the subject have been drawn from the report of that officer with reference to his proceedings in that city, generally, up to the 16th of last month, the date of the report. That document not being accompanied by any proof of the allegations against the consul, it is quite beyond my power, at this time, to comply with your request.

I offer to you, sir, a renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

Mr. ROEST VAN LIMBURG, *&c., &c., &c.*

Mr. Van Limburg to Mr. Seward.

[Translation.]

LEGATION OF THE NETHERLANDS,
Washington, June 9, 1862.

SIR: I have the honor to acknowledge the receipt of your note of the 7th of this month, in which you do me the honor to say to me, among other things, that you have no objection that I should write to the consul of the Netherlands at New Orleans "that it is the President's expectation that he will resume and continue in the discharge of his official functions, until there shall be further occasion for him to relinquish them."

I regret, sir, not to be able to accept that formula without submitting it to the judgment of the government of the King, and I have the honor to renew to you the assurances of my high consideration.

ROEST VAN LIMBURG.

Hon. Mr. SEWARD,
Secretary of State of the United States.

Mr. Van Limburg to Mr. Seward.

[Translation.]

LEGATION OF THE NETHERLANDS,
Washington, June 9, 1862.

SIR: In your note bearing date the 7th of this month, through which you do me the honor to reply to my second note of the same day, you have been pleased, with a frankness which I appreciate, to inform me that your communications on the subject of the affair in question have been drawn from the report which Major General Butler made to you of his general conduct at New Orleans up to the 16th of the last month; and that this document not being accompanied by any proof of the allegations against the consul, it is not in your power to comply with my request, "to be pleased to communicate to me the papers justificative (proofs) of the accusation of the consul, and of the seizure of the deposit."

Your frankness, sir, could not but increase my esteem for the government whose organ you are, and this frankness encourages me to be equally frank. You will appreciate it on your part, convinced of the respect which I bear for the President and government of the United States, as also of the confidence which I place in their spirit of justice.

Well, then, Mr. Secretary of State, since you acknowledge to me that you are not in possession of the proofs, is it not natural to conclude therefrom that these proofs do not exist? For was it not the duty of Major General Butler to submit them to you, without delay, to justify the seizure of funds of which you now know that they were in deposit at the house of the Netherlands consul, for account of the honorable house of Hope & Company, of Amsterdam?

Thus, from the moment it shall appear that Major General Butler has actually seized, without having had well-founded reasons and proofs to justify a step so serious as the carrying off (removal) of a deposit which was at the Netherlands consulate, I expect from the justice of the government of the United States that the value shall be restored, without further delay, to the consul or the house of Hope & Company.

I therefore permit myself to request you, sir, to be pleased to call for, as soon as possible, and to communicate to me, the proofs which I have had the honor to request of you in my note of the 7th of this month.

I have the honor, sir, to reiterate to you the assurances of my high consideration.

ROEST VAN LIMBURG.

Hon. Mr. SEWARD,
Secretary of State of the United States of America.

Mr. Seward to Mr. Van Limburg.

DEPARTMENT OF STATE,
Washington, June 9, 1862.

SIR: I have the honor to acknowledge the receipt of your two notes of this date. In reply to the request in one of them for the proofs upon which Major General Butler based his proceedings with reference to the coin lodged with the consul of the Netherlands at New Orleans, I have the honor to acquaint you that no time shall be lost in making them known to you when they shall have been received here.

I avail myself of this occasion, sir, to offer to you a renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

Mr. Roest Van Limburg, &c., &c., &c.

Mr. Van Limburg to Mr. Seward.

[Translation.]

New York, *June* 19, 1862.

Sir: I have not failed to report to the minister for foreign affairs the conversation which, towards the close of the month of April, I had the honor to have with you on the subject of the admission of the ships-of-war of the United States, and of those of the self-styled Confederate States, to the ports of the Netherlands. I informed him of your wish that henceforward the ships in question should be treated therein as they are either in the ports of France or in the ports of England.

In a letter which I have just received, the minister for foreign affairs expresses to me his astonishment in respect to this, for he had divers reasons to think that the modification introduced in December last had been accepted by the government of the United States in the same spirit which had inspired the government of his Majesty; afterwards, he heard on all sides that commerce was gaining by it, and, in fine, he rested satisfied that the Netherlands regulation was not less favorable to the United States than that of France and of Great Britain.

According to the French declaration of the 10th of June, it is not permitted to any vessel-of-war or privateer of either belligerent to enter and sojourn with prizes for longer than twenty-four hours. But, when an inhibition of this nature existed at our ports, and that a sojourn of twice twenty-four hours was forbidden to vessels-of-war, it was you, Mr. Secretary of State, your minister at the Hague, who reclaimed in consequence of the representation of Captain Palmer, commanding the Iroquois. It was to please you that the new regulation was introduced, and as for Great Britain, following the declaration of June 1, 1861, it is not permitted to vessels-of-war or privateers to enter the English ports with prizes for any period of time whatever. With us, on the contrary, it is not permitted to privateers, but it is permitted to vessels-of-war with their prizes. Since the last English instructions of January 31, 1862, that vessels-of-war or privateers may enter certain ports, a special permission by the government is required, whilst in other British ports they are not allowed to sojourn more than twenty-four hours, saving the case of a storm, damage, &c. They are not allowed to supply themselves with coal, except in very limited quantity.

It is against the restrictions of the last sort that, upon the protest of Captain Palmer, commanding the Iroquois, the government of the United States made remonstrance. His excellency the minister of foreign affairs does not understand that the government of the United States can now desire the re-establishment of an order of things against which it presented remonstrances, and which was modified (to gratify the United States) by a regulation which seems to the Netherlands government certainly not less liberal nor less advantageous to the United States than the French regulations or the English regulation.

I have the honor, sir, to renew to you the assurance of my high consideration.

ROEST VAN LIMBURG.

Hon. Mr. Seward,
Secretary of State of the United States of America

Mr. Van Limburg to Mr. Seward.

[Translation.]

DETROIT, *July* 19, 1862.

SIR: Whilst the States General of the Netherlands are engaged with the draft of a law for the abolition of slavery in the colony of Surinam, the government of the King has under consideration the introduction of free laborers, which the adoption of the measure proposed would render necessary, and it is asked whether, among the people of color who in the United States have acquired or are acquiring their freedom, there could not be found many who would be willing to engage for a certain term of years (say, for example, 5 years) to dispose of their labor to a planter, under the protection of the Netherlands law; and in consideration of some advantages connected with their emigration to a country so fertile and extensive as that spoken of. The King's minister for foreign affairs has done me the honor to communicate this idea to me, and has authorized me, Mr. Secretary of State, to submit officially to you, not only for the purpose of learning if the government of the United States would be disposed to co-operate, but also to benefit by the light which it would be able to throw upon the question.

I avail myself of this authorization, sir, to have the honor to address you officially, and to request you will have the kindness to inform me of the disposition of the government of the United States in relation to the measure in question, and if favorable to it, to enlighten me with information which its knowledge of the African race has given it.

If, in your opinion, sir, the end aimed at can be attained, I shall be happy to be able to communicate to the royal government how, in your judgment, it would be most effectively.

I seize this fresh occasion, sir, to repeat the assurances of my high consideration.

ROEST VAN LIMBURG.

Hon. Mr. SEWARD,
Secretary of State of the United States of America.

Mr. Seward to Mr. Van Limburg.

DEPARTMENT OF STATE,
Washington, July 22, 1862.

SIR: I have received your note of the 19th instant, representing that you had been instructed to ascertain if free persons of African extraction in the United States could not be induced to repair as laborers to the Netherlands colony of Surinam, and inquiring as to the disposition of this government on that subject.

In reply, I have to state that it is believed the demand for laborers of that class in the military and naval service of the United States alone is sufficient to outweigh any inducement to their emigration abroad likely to be offered by foreign countries.

By acts of the last session of Congress, however, authority has been given to the Executive to enter into contracts with the representatives of governments having possessions in the West India islands to receive there, not only Africans captured in vessels engaged in the slave trade, but also of freed persons in the United States of African descent. If your government should be disposed to enter into such contracts, you are recommended to apply to the Secretary of the Interior, who has been charged with that business on the part of the government of the United States.

I am, sir, your very obedient servant,

WILLIAM H. SEWARD.

Mr. ROEST VAN LIMBURG, *&c., &c., &c., Detroit.*

Mr. Van Limburg to Mr. Seward.

[Translation.]

DETROIT, *July* 28, 1862.

SIR: I have the honor to bring to your knowledge that I have just received from his excellency, the minister of the King for foreign affairs, instructions relative to the facts which have occurred at the consulate of the Netherlands at New Orleans on the 10th and 11th of the month of May this year. Approving fully the line of conduct which I thought it my duty to pursue in that business, the royal government, shares the satisfaction which I experienced, when, by your letter of June 5, you were so good as to inform me, sir, that the President and the government of the United States viewed the conduct of the military authorities at New Orleans as a violation of the law of nations; that they disapproved it, and disapproved the sanction there given to it by Major General Butler. But the King's government flatters itself that the United States will go further. In view of the King's government, the gravity and publicity of the outrage demand that the government of the United States give public evidence of its regret, for example, by manifesting, by some public act, its dissatisfaction with Major General Butler. The King's government, considering, until the proof made to the contrary, the Netherlands consul at New Orleans as having acted in good faith, expects that the government of the United States will not refuse to do likewise, and that it will please, consequently, to invite the consul, who, on the avowal of the American government itself, has been very ill used, to resume his consular functions. Mr. Vander Maesen de Sombreff observes, in passing, that if the consul should, perhaps, have given *at once* the information asked for, it is to be noticed that Mr. Conturié announced at once, but in vain, his wish to consult his colleague, the French consul, adding that "something good might come out of the consultation." Captain Shepley replied that "he could not delay action."

The government of the Netherlands, actuated by sentiments of moderation and conciliation, does not insist, at present, on a restitution in *integrem* or in *statu quo ante*, but expects, in requital, from the justice of the American government, that the property taken from Netherlanders residing at New Orleans or elsewhere be restored. Among these properties are securities belonging to Messrs. Hope & Co., personally; for example, the bonds of New Orleans and of Mobile, mentioned in the *statement of facts* of the consul, (Sch. No. 2,) then the property of individuals (Netherlanders) mentioned, (Sch. No. 3.)

As to what regards the $800,000, the King's government, informed of the investigation which the American government has instituted in this respect at New Orleans, does not wish to hasten a demand upon it. I am therefore happy, sir, to be the organ of sentiments quite as conciliatory as those which you assured me animated the government of the United States in this lamentable business, and at present I restrict myself to asking from you, in the name of the King's government: First, satisfaction, ulterior and public, (in the sense above expressed,) given to the government of the Netherlands by that of the United States for the violation of the Netherlands consulate at New Orleans. Second, an invitation addressed by the government of the United States to the consul of the Netherlands, outraged by military authority, to the end that he resume the exercise of his functions. Third, restitution of property seized, belonging to Netherlanders. Fourth, restitution of $800,000 as soon as it shall be shown that the ownership was transferred to Messrs. Hope & Co.

I have the honor, Mr. Secretary of State, to renew to you the assurance of my high consideration.

ROEST VAN LIMBURG.

Hon. Mr. SEWARD,
Secretary of State of the United States of America, &c., &c., &c.

Mr. Seward to Mr. Van Limburg.

DEPARTMENT OF STATE,
Washington, August 20, 1862.

SIR: The honorable Reverdy Johnson, who, as you have heretofore been informed, was appointed by this department a commissioner to proceed to New Orleans and investigate, among other affairs, transactions which occurred there affecting the consul of the Netherlands, and certain subjects of the King of the Netherlands, under the direction of Major General Butler, has performed that duty, has submitted his reports concerning the same, and they have been approved by the President. I have thought it not improper to present you, for the information of your government, a complete copy of so much of those reports as relates to the transactions herein above mentioned. As a result of the approval of Mr. Johnson's proceedings in the premises, I have now the honor to inform you that the eight hundred thousand dollars in coin which was taken by Colonel Shepley, under direction of Major General Butler, from the possession of Amedée Conturié, the consul of the Netherlands at New Orleans, and which was claimed to have been deposited with him to the use of Messrs. Hope & Co., of Amsterdam, and which is more particularly described in the correspondence which has heretofore taken place between yourself and this department, will be restored by the major general, or the United States officer commanding at New Orleans, to either Mr. Conturié, the consul of the Netherlands, or to Mr. Forstall, as the agent of Messrs. Hope & Co., or to the Citizens' Bank of Louisiana, whichsoever of them you may designate. I refer the designation of it to yourself, because your government has intervened in regard to the transaction, whereby its consent to the designation has become necessary, and it will of course be conclusive.

Secondly, I proceed to speak of the articles of property other than coin described specifically by part number two in a statement of the said consul, Mr. Conturié, dated May 13, 1862, and which was submitted to this department by you, as follows: One tin box, to which was given the name of a bank box in this city, locked, containing first, ten bonds of the consolidated debt of the city of New Orleans for one thousand dollars ($1,000) each, making the nominal value of ten thousand dollars; second, eight bonds of the city of Mobile of the value of one thousand dollars ($1,000) each, the nominal value of which is eight thousand dollars, ($8,000,) claimed by Mr. Conturié to have been deposited with him on the 12th day of April last, by Edward I. Forstall, esq., in the capacity of agent, and as the property of Messrs. Hope & Co.; third, divers papers, being titles and deeds, the consular commission of Mr. Conturié and his exequatur No. 3, six other tin boxes, marked with the name of Amédée Conturié, containing private deeds, silver ware, &c., which boxes are claimed to be the property of divers persons for whom he was acting as agent; fourth, two or more tin boxes, the property of the Hope Insurance Company of the city of New Orleans, which occupied a portion of the premises in which the consulate was located. The extracts from Mr. Johnson's report will show you that, under his direction, all this property would have been delivered to Mr. Conturié if he had not declined to accept it for reasons specified by him in a letter to Mr. Johnson. Upon his thus declining, the eighteen bonds were delivered by Major General Butler, under Mr. Johnson's direction, to Mr. Forstall, as agent for Messrs. Hope & Co. A copy of his receipt for the same is herewith transmitted to you, and the original will be handed to you or given to whomsoever you may indicate. The other articles named in said statement No. 2 will be delivered by Major General Butler, or other officer commanding at New Orleans, to Mr. Conturié, unless you shall designate some other person to receive them.

In your note of the 28th of July last you informed me that your government shared the satisfaction which you had expressed when, on a previous occasion, I announced to you that the President and government of the United States viewed the conduct of the military authorities at New Orleans, in regard to the transaction in which Mr. Conturié, the consul of the Netherlands, was concerned, as a violation of the law of nations, and that they disapproved of it, and disapproved the sanction which had been given to it by Major General Butler. You added, however, that your government flattered itself that the United States would go further, and that, in the view of the government of the Netherlands, the gravity and publicity of the outrage (as you are pleased to call the transaction) demand that the government of the United States give public evidence of its regret, for example, by manifesting, by some public act, its dissatisfaction with Major General Butler. You further add that the government of the Netherlands, conceiving, until proof is made to the contrary, that Mr. Conturié, its consul, has acted in good faith, expects that the government of the United States will not refuse to do likewise, and that it will please, consequently, to invite the consul, who, on the avowal of the American government itself, has been ill used, to resume his consular functions. I cannot avoid thinking that these requests are made by your government under a mistaken idea that the United States, for some reason, desire in some way to cover or conceal from the world the proceedings which they have taken in regard to these questions. If this be true, your government has fallen into a serious error. The whole of the proceedings have been direct, frank, and unreserved. The United States, as you are aware, did not only express their regret for the transaction, and their dissatisfaction with General Butler in the premises, in the language you have quoted, but they also sent an agent to ascertain the extent of injuries which were complained of, to the end that they might promptly be redressed, and that restitution might be made. That redress has been made, and the restitution ordered, immediately upon the facts on which it depended having been established. Moreover, you were advised in my former communication that simultaneously with the appointment of Mr. Johnson as commissioner, Major General Butler was relieved of his functions as military governor of New Orleans, and Brigadier General Shepley was appointed military governor of that city; the military authorities were at the same time directed to invite Mr. Conturié to resume his consular functions. These proceedings fully appear in the official correspondence which has taken place between yourself and this department. This correspondence is not a private but a public one, which your government is at entire liberty to promulgate without reserve whenever it shall please to do so, and whether your government shall think proper to so promulgate it or not, it will, according to our national habit, be communicated without any reservation to Congress, on their assembling here, on the first Monday of December next. Nor is it all a matter of reserve on the part of this government that the dissatisfaction with Major General Butler's precipitancy and harshness, in the transaction concerned, were among the causes for transferring the administration of public affairs at New Orleans to General Shepley. It is very true, sir, as you remark, that Mr. Conturié has been very ill used, and upon that ground General Shepley will be directed to invite him at New Orleans to resume his consular functions, if, indeed, he has not done so already under previous instructions. But I must nevertheless accompany this instruction with the declaration that, in the judgment of this government, Mr. Conturié has acted throughout the transaction, which has been reviewed, and even throughout the investigation, after what has taken place, in a manner that was very indiscreet, and calculated, though I presume not intended, to embarrass the relations between your country and our own; and that unless his conduct hereafter shall exhibit more of consideration for the authority of the United States, it must not be expected that the President will be content with his remaining in the consulate at New Orleans. I trust, sir, that your government will be satisfied that the United States have resolved the questions which have been discussed between us in a spirit not only of good faith, but also of friendship and good will towards their ancient and esteemed friend the Netherlands.

I avail myself of this opportunity to renew to you, sir, the assurance of my very high consideration.

WILLIAM H. SEWARD.

Mr. Van Limburg to Mr. Seward.

[Translation.]

SHARON SPRINGS, *August* 22, 1862.

SIR: I have the honor to bring to your knowledge that only this morning I have learned from Mr. Conturié, by letter dated at New Orleans the 8th of this month, that since the 10th of the month of May, on which the consulate of the Netherlands in said city was invaded by the military authorities of the United States, he had completely ceased from the exercise of his consular functions, and invariably referred individuals applying to the consul of France, who has acted as consul, *ad interim*, of the Netherlands. The Count of Mejan, to whom I had addressed the request, by letter dated at Washington the 10th of June, in the first instance, and then by duplicate dated July 26, answered me by letter dated at New Orleans the 8th of August, that he had assumed the mission offered to him provisionally, and had already, on occasion, lent his protection and good offices to Netherlanders.

I have therefore the honor to request you, sir, to be so good as to recognize, and cause to be recognized, the Count de Mejan, consul of France at New Orleans, as charged, *ad interim*, with the consulate of the Netherlands, in virtue of instructions from the King's government.

If I have not been able before to-day to make this communication and request to you, it is because of the loss of my enclosures addressed from Washington the 10th of June last to the Count Mejan, and sent by me to the minister of France, who was pleased to take upon him the delivery to the consul of his country at New Orleans. Mr. Mercier sent the enclosure to the Marquis de Montholon at New York, who mailed it, but the enclosure never reached its address. I have therefore sent to the Count de Mejan and Mr. Conturié duplicates, dated July 26, and the answer which I have received to-day has at length enabled me, sir, to write to you, which I now have the honor to do.

Please to accept, sir, the fresh assurance of my high consideration.

ROEST VAN LIMBURG.

Hon. Mr. SEWARD,
Secretary of State of the United States of America.

Mr. Seward to Mr. Van Limburg.

DEPARTMENT OF STATE.
Washington, August 25, 1862.

SIR: I have the honor to acknowledge the receipt of your note of the 22d instant, in relation to the suspension of the consular functions of Mr. Conturié, and the provisional appointment of the Count Mejan, the consul of France at New Orleans, to take charge of the Netherlands consulate.

It is inferred that you had not, at the date of your note, received my communication of the 20th instant, in which, it is hoped, the subject of the controversy between General Butler and Mr. Conturié has been disposed of to the satisfaction of the government of the Netherlands. In accordance with your request, the Count Mejan will be recognized as temporary consul of his Majesty the King of the Netherlands.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. ROEST VAN LIMBURG, *&c.*, *&c.*, *&c.*

Mr. Van Limburg to Mr. Seward

[Translation.]

SHARON SPRINGS, *August* 30, 1862.

SIR: I have had the honor to receive your letter, dated Washington, 20th of this month, relative to the seizure made at the consulate of the Netherlands in New Orleans, and to the report on this subject which has been made by the honorable Reverdy Johnson. I have likewise had the honor to receive the extract from the report which was annexed to your letter. I shall hasten to transmit the two documents to his excellency the minister of foreign affairs of the King, with a request to furnish me with the necessary instructions, in order that I may fully answer the letter which you have just done me the honor to address to me. Meanwhile, I avail myself of the power which you have been pleased to confer on me of selecting the person to whom will be delivered the sum of eight hundred thousand dollars in silver, by indicating the person under whose charge that sum was found, that is to say, Mr. Amédée Conturié.

As to what concerns the other articles seized, I have not been able to find, either in the report of the honorable Reverdy Johnson or in the correspondence exchanged between him and Mr. Conturié, the slightest trace of any refusal by the latter to receive back the various boxes seized. I have, however, perceived that there was a disagreement between them as to the opening of *one* of the boxes, and as to the delivery of the eighteen bonds of the cities of New Orleans and Mobile; but I have also perceived that, very far from refusing to receive all the boxes which are mentioned in the "Statement" of the consul dated the 13th of May, he asked them back in their entirety in his letter of the 24th of July addressed to Mr. Reverdy Johnson. I have, moreover, not found in all the correspondence which has been communicated to me any want of respect shown by Mr. Conturié towards the authorities of the United States, although he may have differed from them as to the way of understanding his duties. For instance, the honorable Reverdy Johnson seems to have thought that it was the consul's duty to go in quest of or to send for that which had been improperly seized at his house. I cannot, any more than the consul, share this opinion; in my judgment, the least that could be done, after an unwarranted seizure, was to have the articles which had been seized sent back to the place in which they had been found.

After receiving your letter of the 5th of June, and finding in it an allusion to a denial of the deposit, and to a refusal of information on the part of the consul at the time of the appearance of the military authority of the United States in the consulate of the Netherlands, I questioned Mr. Conturié in this regard by letter of the 9th June, which he only received in duplicate on the 26th of July. He answered me that he had not at all refused to give information, and he sent me a note supplementary to his "Statements of facts"—a note which I have the honor to transmit to you herewith. However, I must leave entirely to the King's government to judge of the conduct of the consul.

In my opinion, all questions between organs or agents of different governments ought to be discussed with the most perfect sincerity and greatest politeness, and every offensive expression carefully avoided. I therefore request you, sir, to be pleased to believe that the word "outrage," which appears to have displeased you in my letter of the 28th of July, was not applied, as you seem to have supposed, to all which had taken place—to "these transactions," as you say. The word had not, in my pen, the sense which it might have had in English. It only regarded the grave offences committed against the consul, by calling him a "fellow," searching his pockets, and writing to him that he had "*prostituted* his flag to a base purpose." It is only these acts, sir—acts which the government of the United States, I am happy to acknowledge, has hastened to decline to be responsible for—that I have taken the liberty of characterizing as "outrage." It was for such acts, sir, that the King's government (as I had the honor to represent to you in my letter of the 28th of July) flattered itself that a friendly government would not refuse to give it ultimate satisfaction. It is a general custom, as no person better knows than you, sir, that not only grave offences are censured, but that the authors of them are punished.

Now, when the President and government of the United States have made their decisions conformable to the conclusions of the excellent report of the Hon. Reverdy Johnson, according to which the $800,000, seized by order of Major General Butler, was an amount of silver legitimately delivered on deposit to the consul of the Netherlands; now, when the good faith of the consul is acknowledged; now, more than ever, is flagrant the insult offered, according to the orders, or with the approval, of Major General Butler, to the consul of the Netherlands, to whom, in answer to his just complaint, he wrote, or caused to be written, a letter, of which I find myself compelled to transmit to you herewith a copy.

It is with great regret that I come back to this letter, for you will do me the justice, sir, to believe that everything which can exasperate is as far from my sentiments as from my intentions. To conciliate is one of my most cherished duties, but I cannot sacrifice the dignity of international relations; and I respectfully request you to be pleased to consider again whether it is just that the author of such a letter should remain in official relations with foreign consuls.

In your letter of the 20th of this month you have been pleased to remark that the government of the United States does not conceal "that the dissatisfaction with Major General Butler's precipitancy and harshness in the transactions concerned was among the causes for transferring the administration of public affairs at New Orleans to General Shepley." You have been pleased to bring to mind that you had previously made known to me (in your letter of the 5th of June) that the President has also appointed a military governor of the State of Louisiana, who has been instructed to pay due respect to all consular rights and privileges; but as various newspapers in the United States have continued to make mention of new orders or new regulations of Major General

Butler relative to the confiscations or penalties imposed on citizens of New Orleans, and as one, namely, the New York *Times*, a journal which, if I mistake not, is generally respected and valued, has published in its number of Tuesday, the 26th of this month, two letters of Major General Butler—the first, to the consul of France, in answer to an official letter that the latter had addressed to "the assistant military commandant of New Orleans;" the second, to the consul of Spain, concerning a quarantine imposed on a Spanish frigate, are dated on the 14th and the other on the 16th of this month, it would seem that Brigadier General Shepley has not accepted the appointment of which you have done me the honor to speak to me; that Major General Butler yet acts as military governor, and that foreign consuls are still in official connexion with him. If this supposition is erroneous, if the letters published in the New York *Times* are apocryphal, you will much oblige me, sir, by having the goodness to apprise me thereof, for it cannot, I think, be indifferent to the King's government to know whether the consul of the Netherlands (Mr. Conturié or another) would remain or not in case of having official connexions with Major General Butler.

In conclusion, sir, neither the King's government nor the royal legation have any motive for sustaining, beyond justice, either Mr. Conturié or any other Netherlandish consul; and whether it be a question of Mr. Conturié or of another functionary of the Netherlands whose conduct shall be censurable, no personal consideration will ever restrain the royal government from listening to the sentiments of its own dignity and from the consideration due to foreign governments. It will hasten, always, to remove from service any person who shall have seriously violated his duty or gratuitously offended an authority or functionary of a friendly government.

I have the honor, sir, to renew to you the assurances of my high consideration.

ROEST VAN LIMBURG.

Mr. Seward,
Secretary of State of the United States, &c., &c., &c.

Major General Butler to Mr. Conturié.

Headquarters Department of the Gulf,
New Orleans, May 14, 1862.

Sir: Your communication of the 10th instant is received. The nature of the property found concealed beneath your consular flag—the specie, dies, and plates of the Citizens' Bank of New Orleans—under a claim that it was your *private* property, which claim is now *admitted* to be *groundless*, shows you have merited, so far as I can judge, the treatment you have received, even if a little rough. Having prostituted your flag to a *base* purpose, you would not hope to have it respected so *debased*.

I am, officially, your obedient servant,

BENJAMIN F. BUTLER,
Major General Commanding,
Per GEORGE BROWN.

The Consul of the Netherlands.

[Erasure conformable to the original.]—Am. Conturié.

[Translation.—Note.]

The second paragraph of the communication of the Secretary of State of the United States to the minister of the Netherlands, dated the 5th of June last, is thus conceived: "The statements," &c., &c.

In his letter of the 9th of June the minister, referring to this passage, says to the consul, "I invite you to write to me about it."

A few lines are sufficient to explain all.

Mr. Conturié is a wine and liquor merchant. His store and counting-room are at No. 33 Pavier street. The Netherlands consulate, where the silver and all the articles seized and carried off by order of General Butler were found, was on the premises No. 109 Canal street. The localities are distinct, and the distance which separates the two establishments is near about equal to that between the White House and Willards' Hotel, at Washington.

On the 10th of May last, at about two o'clock in the afternoon, Mr. Conturié was at the consulate; hitherto he had no idea or suspicion of the lamentable acts which were going soon to blaze out. Hearing a voice in the office say that a federal officer had come to see Mr. Conturié, he stepped forward, saying that he was Mr. Conturié, consul of the Netherlands. The federal officer exhibited no order from General Butler; he put no question concerning the articles which might be found in the keeping of the consul; he asked no information or explanations on any subject, but confined himself to saying and doing what has been stated in the report of the consul.

These are the preliminary facts plainly reported; the rest are stated in the consular report. Mr. Conturié asserts that, if information of the character of that spoken of in the communication of the Secretary of State had been asked of him, in the name of General Butler or on the part of any other established authority, he would have hastened to furnish it, because no reason or cause can be imagined for refusing it, since acts of deposit were recorded in the books of the consulate. Mr. Conturié would have done, assuredly, with an earnestness at least equal, before the very lamentable occurrence of the 10th of May, what he did a few days afterwards of his own motion.

These preliminary facts being thus set forth in relief, there necessarily flows therefrom the conclusion that Mr. Conturié has not incurred the slightest blame of having exaggerated to himself the privileges and immunities of the Netherlandish consul and consulate. And if any mention has not hitherto been made of the absence of previous demand for information, on the part of General Butler, concerning the articles deposited in the consulate, it is because a report is, naturally, only a narrative of facts which have actually taken place. *Negative facts* cannot find a place in it sometimes, except by way of explanation, elucidation, or justification.

NEW ORLEANS, *August* 11, 1862.

Mr. Seward to Mr. Van Limburg.

DEPARTMENT OF STATE,
Washington, September 4, 1862.

SIR: I have had the honor of receiving your excellency's note of the 30th of August, in which you designate Amedée Conturié, of New Orleans, as the person who shall receive the eight hundred thousand dollars of coin which was taken from that person by direction of Major General Butler, and which, it has now been decided by this government, was a lawful deposit with him, made by the agent of, and for the account of, Messrs. Hope & Company, of Amsterdam.

I have the honor, further, to state that instructions will be immediately given by this government to Major General Butler, or General Shepley, military governor at New Orleans, or other authority there having possession of the coin, to deliver the same to the said Amedée Conturié, and take his acknowledgment for the same.

I regret that I do not find in your note a designation of any person to receive other articles which were taken from Mr. Conturié by direction of Major General Butler, and which this government has decided shall be delivered to such person as you shall designate, as you were informed by a note written by me to your excellency on the 20th day of August last.

Having submitted your note to the President, I am authorized to say that he accepts, with entire satisfaction, the explanation of the sense in which the word "outrage" was used in your previous communication of the 28th of July, and that your remarks upon that subject are entirely liberal and generous.

In regard to the transfer of the administration of civil affairs at New Orleans from Major General Butler to Governor Shepley, you admit that I wrote you, on the 5th of June last, that the President has made a military governor of the State of Louisiana, who has been instructed to pay due respect to all consular rights and privileges. You then call my attention to the fact that certain newspapers, among which is the New York *Times*, so late as the 26th of last month, published letters and other documents showing that Major General Butler was still exercising civil functions at New Orleans so late as the 14th and the 16th of August, and you ask me to state whether these facts are authentic.

I find not the least difficulty in answering this inquiry. The commission to General Shepley as military governor of Louisiana had already been issued and forwarded to him at New Orleans when I communicated this fact to you on the 5th of June last. Postal and commercial communications with New Orleans had been entirely cut off by the civil war for a year previous to the capture of that city by Major General Butler, and they had not been at all restored when my letter to you was written. There was a considerable and unavoidable delay of the commission on its way to Governor Shepley. When it reached him, at New Orleans, he thought it necessary, in view of the military situation existing there, to come to this capital for conference with the government, and for other purposes, before assuming the functions to which he was invited. Having done so, he returned to New Orleans and assumed the trust to which he had been appointed, at a day later than the 16th of August, and he is now exercising the same. I need not say that these delays unavoidably resulted from a novel situation of affairs, and were not looked for nor even foreseen by the President.

After this explanation, it does not seem important that I should remark, at present, on the other topics discussed in your note. I shall, however, cheerfully recur to them if it shall seem necessary, when you shall have favored me with the respected views of your government concerning the general subject embraced in our correspondence, as it is affected by the communication I had the honor to make to you on the 20th day of August last.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. Roest Van Limburg.

Mr. Van Limburg to Mr. Seward.

[Translation.]

NEW YORK, *September* 10, 1862.

SIR: I have had the honor to receive the letter, under date of the 4th of this month, through which you have been pleased to inform me that instructions would be given immediately to return to Mr. Amédeé Conturié the eight hundred thousand dollars in coin. With respect to the question of ascertaining to whom the other articles seized at his house should be restored, I have the honor to request you, sir, to be pleased to cause them also to be returned to Mr. Conturié, whom I have invited to receive them, as well as the $800,000.

I beg you, sir, to be pleased to accept my thanks for the explanations which you have been pleased to give me with respect to the protraction of the civil functions of Major General Butler in New Orleans, and from them I am inspired with the hope that the justice of the President and government of the United States will hereafter exempt the foreign consuls from official relations with him. I would be happy to be enabled to thank you for it, and to find in it a new bond for the maintenance of the relations for so long a period sincerely friendly between our two countries.

I have already communicated your last letter to the government of the King, from whom I await further instructions, which, meeting with favorable dispositions on the part of the government of the United States, will enable us, I trust, to terminate this deplorable affair in such a manner as we both had hoped we should at our first interview upon this subject.

I have the honor, sir, to renew to you the assurances of my high consideration.

ROEST VAN LIMBURG.

Hon. WILLIAM H. SEWARD,
Secretary of State of the U. S. of America.

Mr. Seward to Mr. Van Limburg.

DEPARTMENT OF STATE,
Washington, September 13, 1862.

SIR: I have the honor to acknowledge the receipt of your note of the 10th instant, in which, after referring to the restoration of eight hundred thousand dollars in coin to Mr. Amédeé Conturié, you request me to cause the other articles seized at his house also to be restored to him, and to state, in reply, that the Secretary of War will accordingly be asked to give directions in the proper quarter to that effect.

I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. ROEST VAN LIMBURG, *&c., &c., &c.*

Mr. Van Limburg to Mr. Seward.

[Received September 29, 1862.]

[Translation.]

The undersigned, envoy extraordinary and minister plenipotentiary of his Majesty the King of the Netherlands, has the honor to submit herewith to the honorable Mr. Seward, Secretary of State of the United States of America, a letter from the consul of the Netherlands at Philadelphia, showing that the American authorities have enrolled him for military duty, notwithstanding his affidavit as consul of the Netherlands for the States of Pennsylvania and Delaware.

If the undersigned had to demonstrate the illegality of this proceeding, he would begin by citing to the Secretary of State the letter of Attorney General Cushing to Mr. Marcy, Secretary of State, under date of the 4th of November, 1854, in which, speaking of consuls, it is said: "They are privileged from political or military service." But the undersigned thinks it will be sufficient to bring the fact to the knowledge of the Secretary of State to justify an expectation that the government of the United States will be pleased to give the necessary orders that consular prerogatives shall be respected in the various States of the United States.

The undersigned has the honor to renew to the honorable Mr. Seward the assurances of his high consideration.

ROEST VAN LIMBURG.

Hon. Mr. SEWARD,
Secretary of State of the U. S. of America, &c., &c., &c.

Mr. Zeigler to Mr. Burlage.

CONSULATE OF THE NETHERLANDS,
Philadelphia, September 26, 1862.

DEAR SIR: Your communications of the 24th instant are to hand; also the copy of the tariff and shipping trade laws of his Majesty's government.

The State and United States authorities here have enrolled me liable for military draft, notwithstanding my affidavit as consul of his Majesty the King of the Netherlands for the States of Pennsylvania and Delaware, claiming exemption therefrom.

The commissioners have decided that as I am a citizen of the United States *I am liable* for military duty. Will you bring this subject before his excellency our minister at Washington, or shall I do it? I certainly cannot perform my functions as consul, and give protection to his Majesty's subjects, (and which, *at this moment, is very necessary,*) if I am compelled to serve in the militia of this State or in that of the United States. The decision of the commissioners I consider uncourteous, and does not accord with the tenor of the exequatur of the President of the United States, granting me all privileges granted to consuls of the most favored nations. Your early answer as to what course I am to pursue will be thankfully received.

I will be much pleased and grateful if you will bring this matter before his excellency our minister at Washington.

I am, very respectfully, your obedient servant,

GEO. H. ZEIGLER, *Consul.*

R. C. BURLAGE,
Consul General, New York.

Mr. Van Limburg to Mr. Seward.

[Translation.]

NEW YORK, *September* 27, 1862.

SIR: I have the honor to submit to you herewith a report from the consul general at New York, accompanied by a document drawn up by Charles Edwards, a lawyer, showing that the court of general sessions at New York has improperly interfered in a dispute between the captain of the Netherlandish vessel the Jan Van Galen and her carpenter, named Herman Nepping. There was a dispute between the captain and the carpenter in regard to the engagement of the latter, and, according to Netherlandish law, it was for the consul of the Netherlands to decide the question. The court of general sessions, to which the carpenter applied, has taken the liberty of interfering in this question of internal order, and, because the Netherlandish engagement was not in accordance with the rules of American engagements, has thought proper to discharge the carpenter from his obligations, and thus to deprive the captain of services to which he was entitled, unless the consul judged otherwise.

It is generally the practice, and admitted, that the local authorities are not to interfere in a dispute between the captain of a foreign vessel and the persons forming her crew, as regards the execution of contracts which have been entered into between them, unless the captain requests it. This is clearly expressed, among other things, in Article VIII of the consular convention between the United States and France, bearing date the 23d of February, 1853, in which it is said:

"The respective consuls general, consuls, vice-consuls, or consular agents, shall have exclusive charge of the internal order of the merchant vessels of their nation, and shall alone take cognizance of differences which may arise, either at sea or in port, between the captain, officers, and crew, without exception, particularly in reference to the adjustment of wages and execution of contracts. The local authorities shall not, on any pretext, interfere in these differences, but shall lend forcible aid to the consuls, when they may ask it, to arrest and imprison all persons composing the crew whom they may deem it necessary to confine."

Now, this rule has also always been applied to Netherlandish vessels and consuls. The President, in his exequatur, accords the same privileges to the consuls of the Netherlands that he does to the consuls of the most favored nation. It is an excess of authority, therefore, which the above-mentioned court has exercised towards the Netherlandish vessel the Jan Van Galen, and an infraction of the prerogatives of the consul general of the Netherlands, to whom the decision of the question should be left.

I have the honor, Mr. Secretary of State, to invoke your good offices to the end that the government of the United States may be pleased to reprimand the court of general sessions of New York; to issue the necessary orders that courts or judges of the United States will henceforth refrain from interfering in disputes of that kind; and to grant to the captain of the vessel the Jan Van Galen, for the damage he has sustained, an indemnification the determination of which I willingly leave to the generosity of the government of the United States.

I embrace this new opportunity, sir, to reiterate to you the assurances of my high consideration.

ROEST VAN LIMBURG.

Hon. Mr. SEWARD,
Secretary of State of the United States of America, &c., &c., &c.

Mr. Burlage to Mr. Van Limburg.

No. 36.] NEW YORK, *September* 26, 1862.

SIR: I have the honor to report the circumstances of the quarrel on board the *Jan Van Galen* between the captain, P. H. de Boer, and his carpenter, H. Nepping. Contrary to the custom thus far followed, that United States courts do not interfere with quarrels and difficulties between captain and crew on board of Dutch vessels, the court of general sessions, however, took cognizance of a complaint by the carpenter, Nepping, against his captain, de Boer, (as per annexed copy of a document of Charles Edwards, lawyer, marked A,) and the judge decided that Nepping must be discharged, because the American law considers a voyage, where it is not specified and fixed as to period of time in the muster-roll, a roving one, and this was not done in the muster-roll of the *Jan Van Galen*, where it was said, "from Rotterdam to Hong Kong *via* Singapore, and further to such other places as the captain, or his successor, or his substitute, may deem proper, and return to a Dutch port." In relation to this the Dutch law says, (article 3, law concerning the management of and discipline on board merchant vessels:) "The voyage will be deemed to have commenced as soon as the vessel is departed from the place where the mustering of the crew has taken place, and to be finished when the vessel, on her return in this country, is arrived at the place of unloading or of her destination."

As the law of the Netherlands, according to articles 14 and 17, stipulates that all disputes between captain and crew during the voyage and in a foreign country shall be decided upon by the consul, the captain of the *Jan Van Galen* complains that in his case my interference has been evaded, and that he thereby was compelled to submit to a foreign authority, contrary to treaties existing between the Netherlands and the United States, and that he, moreover, was subjected to annoyances and expenses. Amongst the latter were $35 for fees to the lawyer, as per annexed copy, marked B. He, therefore, through my intermediary, requests your excellency to take such steps in this matter as your excellency may deem proper to vindicate his rights and to prevent, for the future, occurrences of the same kind.

I have the honor of being, with the highest esteem, your excellency's obedient servant,

RUD. C. BURLAGE.

His Excellency ROEST VAN LIMBURG,
Envoy Extraordinary and Minister Plenipotentiary
from his Majesty the King of the Netherlands, &c., &c., &c.

The Jan Van Galen.

NEW YORK, *August* 25, 1862.

SIR: I have the honor to report the circumstances connected with the claim of Herman Nepping, late carpenter of the *Jan Van Galen*, and also to give you my views in relation to it.

I agree with you that the American courts ought not to interfere with neutral vessels or their masters except in very extreme cases, and that all jurisdiction should be left to consuls. However, both you and I know, sir, that, notwithstanding all protests, some of our courts will take cognizance of complaints by seamen against their captains.

I, as standing counsel for other consulates than yours, especially for the British consulate, have, for several years, done my best in court and out to check such a course of things, but, in a port like this, it is difficult to contend against bad men who encourage bad seamen, and against outside and political influences.

I believe I have before now taken the liberty to call to your attention the too general wording of foreign voyages on muster-rolls. Both the British and American shipping articles generally specify, as far as possible, all the important places at which the vessel is to touch, and expressly state the length of voyage, (as, for instance, not to exceed *six* months or *three* years.) Our courts consider that where this is not done it becomes a mere roving voyage, under which a seaman might be kept for an indefinite time, *ad infinitum*, on board, and, perhaps, never able to reach his home. And when a keeper of a sailor's boarding-house ascertains that the voyage is not fixed as to time, he goes to some lawyer and gets him to sue vessel or master on the ground the voyage is ended, on account of not being specific and fixed as to period of time. And so, in the case of the *Jan Van Galen*, a writ of *habeas corpus* was first issued to show that Nepping was detained against his will, because the voyage was said to be at an end from uncertainty. The matter came before a judge notorious for his want of principle, and he chose to discharge this man from the vessel even before I had put in my written argument, (which the judge had agreed to receive.) Threat was then made to attach the ship if the captain did not pay this man in full and let him go. On a conference which I had the pleasure to have with you, it was decided that I should defend any suit or attachment which should be had. The lawyer opposed to me was desirous I should allow an attachment to be brought without any security being given by Nepping; but this I would not give in to; and, no doubt, the difficulty he found in getting it, and my known determination to fight, kept him from giving further trouble until the vessel had got to sea.

I am inclined to think that if the foreign consuls were to sign a memorial to our legislature, asking them to pass an act which should not allow our minor courts to take cognizance of matters between foreign captains and crews, that it would have attention. I have once or twice suggested something of this kind to the British consul.

I am satisfied, from the examination which was had before the judge on the return of the writ of *habeas corpus*, that this man, Nepping, was a bad fellow, and that the master, de Boer, had done no more than his duty, and had behaved most properly for the interests of his owners.

According to your wish, I have enclosed a memorandum of my fees, and remain, sir, your most obedient and humble servant,

CHARLES EDWARDS.

The ship Jan Van Galen debtor to Mr. Charles Edwards, advocate:

1862. Aug.	Attendances on and advising Captain de Boer in relation to a writ of *habeas corpus* issued in behalf of Herman Nepping, carpenter; drawing and engrossing special return; two attendances before Judge McCann, when testimony was taken and argument had, and further adjournment for written brief; preparing written brief; letters, afterwards, to the opposite attorney, on his threat to attach the vessel; attendances upon and written communication to the consul for the Netherlands.....	$35

Received payment September 3, 1862.

CHARLES EDWARDS,
By J. P. CAMPBELL.

Mr. Seward to Mr. Van Limburg.

DEPARTMENT OF STATE,
Washington, September 30, 1862.

SIR: I have the honor to acknowledge the receipt of your note of the 27th instant, with the accompanying papers, relative to a supposed improper interference by the court of general sessions at New York, in a dispute between the captain of the Netherland vessel the Jan Van Galen and her carpenter, named Herman Nepping. You allege that the court referred to had no jurisdiction in the matter, and you request this government to reprimand that tribunal, and to issue orders to courts and judges of the United States to abstain from interfering in similar disputes. You also request reparation to the captain of the Jan Van Galen for the damage which he has sustained.

In reply, I have the honor to inform you that this department has no authority to reprimand or to issue orders to any judicial tribunal in this country, especially to a State court. According to the system of government prevalent here, the courts of justice are independent of the Executive. Any party summoned before them has the privilege of being represented by counsel, and, in most cases, of appealing from any decision supposed to be unjust. Whether the court of general sessions at New York had jurisdiction of the case referred to, was a question for that court itself to decide in the first instance, and if the captain or the consul general of your government feels aggrieved by a decision in the affirmative, there certainly is a right of appeal to other courts, which would review that judgment and bring it into conformity with the laws and treaties of the United States. This government has no other constitutional means of effecting such results.

I am not aware of any treaty stipulation between the United States and the Netherlands which gives to the consuls of the latter unqualified jurisdiction over disputes between masters of vessels and their crews. The phrase to which you refer in the exequatur of the consul of the Netherlands cannot, in the opinion of this department, be construed as conferring so important a power. This can only result from a treaty, which the President of the United States alone cannot conclude without the advice and consent of the Senate.

I have the honor to be, sir, your very obedient servant,

WILLIAM H. SEWARD.

Mr. ROEST VAN LIMBURG, *&c., &c., &c.*

Mr. Seward to Mr. Van Limburg.

DEPARTMENT OF STATE,
Washington, September 30, 1862.

SIR: The undersigned, Secretary of State of the United States, has had the honor to receive the note of Mr. Van Limburg, envoy extraordinary and minister plenipotentiary of his Majesty the King of the Netherlands, objecting to a draft of the Netherlands consul at Philadelphia for the military service of the United States.

In reply, the undersigned has the honor to acquaint Mr. Van Limburg that as it is understood that the person referred to has not yet been drafted, this department prefers in this, as it has in other cases, to postpone any consideration of the question of the liability to draft, which it may be proper for the executive government to entertain, until the draft apprehended shall have actually been effected.

The undersigned avails himself of this occasion to offer to Mr. Van Limburg a renewed assurance of his very high consideration.

WILLIAM H. SEWARD.

M. ROEST VAN LIMBURG.

Mr. Van Limburg to Mr. Seward.

[Translation]

NEW YORK, *October* 9, 1862.

SIR: I have had the honor to receive your two notes, dated the 30th of last month, one of which related to the enrolment of the consul of the Netherlands at Philadelphia for drafting, and the other was in regard to the interference of a judicial authority of New York in a question of internal order in regard to a Netherlandish vessel.

As heretofore, in the absence of formal stipulations, a reciprocity of proceedings which were sincerely benevolent had presided over the treatment of consular agents and affairs in the two countries, which mutually took pleasure in giving proofs to each other of consideration and obligingness, I believed myself sufficiently authorized, even without special instructions, to ask, in the two cases referred to, the treatment of consuls of other nations which have concluded conventions with the United States in this regard. I thought myself so much the more authorized to do so, as the terms of the exequaturs granted by the President to our consuls seemed to guarantee expressly a privileged treatment.

Supposing that the United States would prefer that their consuls, even when not Americans, should be exempt in the Netherlands from military service, and having read an official letter of Attorney General Cushing to Secretary of State Marcy, cited by Wheaton, and communicated to the various consuls of the United States, that consuls "*are privileged from political or military service*," I did not think that the government of the United States would wish to reserve to itself the power of judging whether it suited or not to subject a consul of the Netherlands, even though not a Netherlander, to military service.

Believing that the United States would prefer that questions of internal order in regard to their merchant vessels should be, in foreign ports, subordinated to the judgment of American consuls, I flattered myself that a reciprocal exemption from the interference of the American judicial authority would be accepted as a general rule, and particularly in regard to Netherlandish vessels.

You have done me the honor to inform me, sir, that our captains or consuls who think themselves aggrieved by the interference of a judicial authority of a State have the power to resort to an appeal—that is to say, to a long and costly proceeding which would little serve towards a clear exemption of American captains from the judicial intervention of the Netherlandish authorities in questions of internal order, like that which I have now the honor of discussing with you.

I shall, therefore, sir, hasten to communicate to the government of the King my notes and your replies concerning the two questions raised, and I have the honor, sir, to renew to you the assurances of my high consideration.

ROEST VAN LIMBURG.

Hon. Mr. SEWARD,
Secretary of State of the United States of America, &c., &c., &c.

Mr. Van Limburg to Mr. Seward.

[Translation]

NEW YORK, *October* 29, 1862.

SIR: I take the liberty of communicating to you herewith a letter from the consul of the Netherlands at Philadelphia, who demonstrates therein how aggravating to him is the uncertainty in which the American government leaves him, by not expressing its opinion in advance in regard to the obligation, or mere obligation, which it wishes or will wish to impose on foreign consuls (citizens of the United States) of sharing in the approaching enrolment for the military service of the United States.

The consul, in particular, says that, in five days after being "drafted," he would have to go to the camp, which would give him but little chance to obtain a decision from the government of the United States, of making his necessary arrangements, and of providing himself, *casu quo*, with a substitute.

Abstaining from any reflection in this respect, I have the honor, sir, to reiterate to you the assurances of my consideration.

ROEST VAN LIMBURG.

Hon. Mr. SEWARD,
Secretary of State of the United States of America.

Mr. Zeigler to Mr. Van Limburg.

CONSULATE OF THE NETHERLANDS,
Philadelphia, October 27, 1862.

SIR: On the 27th ultimo I addressed the consul general, Mr. Burlage, on the subject of my enrolment for military draft by the United States authorities, and copy of which letter I beg to enclose.

Mr. Burlage, on the 3d instant, forwarded me copy of a communication addressed to your excellency by Mr. Seward, Secretary of State at Washington, in which the honorable Secretary, as you are aware, stated he preferred postponing any consideration of the question of the liability of being drafted which it may be proper for the United States government to entertain, &c. I now beg to call your excellency's attention to the fact that the authorities here will draft to-morrow. All arrangements for that purpose have been made, and as only five days are allowed for one to report himself for camp in case he is drafted, it is to be regretted the honorable Secretary of State does not decide the question at once, so that I may know what my position is or will be.

I hold an exequatur from the President of the United States, granting me privileges granted to consuls of the most favored nations on earth. Nothing therein is said whether citizen or no citizen. I therefore do not see that the decision of the draft commissioner accords to the tenor of that document, although I am a citizen of the United States.

It seems to me, my dear sir, that the question ought to be settled at once; then I would know what to do. In case of an unfavorable decision a substitute could be obtained, *if in time*, but *if not* in time, a difficulty possibly to obtain one. As for obtaining a substitute in advance of a decision, does not seem proper, as it is not my person I must take into consideration, but the office I hold and position I represent. It would not be amiss, perhaps, to say to me, I was informed by the Prussian consul here he had intimation from his minister the foreign consuls who were citizens of the United States would, out of national courtesy, be exempt, and he, the minister, (Baron Von Gerolt,) was requested to hand into the State Department a list of those consuls under his jurisdiction who had become citizens of the United States.

I remain, dear sir, very respectfully your obedient servant,

GEO. K. ZEIGLER.

His Excellency Mr. Roest Van Limburg,
Envoy Extraordinary, Minister Plenipotentiary of
his Majesty the King of the Netherlands.

P. S.—I just learned the governor of the State has postponed the draft for one week longer.

BELGIUM.

Mr. Seward to Mr. Sanford.

No. 54.] Department of State,
Washington, March 17, 1862.

Sir: Your despatch of February 27 (No. 53) has been received.

You will be able to congratulate the Duke of Brabant, when he returns from Seville, upon the restoration of the public security in this country to an extent so great that we have been able to dispense with the necessity for requiring passports of foreigners visiting the United States. I regret to hear that his health has been so much impaired as to be a cause of solicitude to himself, his friends, and his country.

A general conviction prevails that the insurrection which has so deeply disturbed the peace of our country, and so singularly affected the sentiments of Europe, is approaching its end, without justifying in any degree the fears of the friends or the hopes of the enemies of the United States, and also without yielding compensation, in any way, for the evils it has inflicted at home and abroad.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

H. S. Sanford, Esq., *&c., &c., &c., Brussels.*

Mr. Seward to Mr. Sanford.

No. 59.] Department of State,
Washington, May 6, 1862.

Sir: Your despatch of April 17 (No. 61) has been received.

We have been constantly and earnestly desirous to relax the rigor of our blockade, and thus relieve the suffering which has resulted from our unhappy civil war in Europe, as far as that object could be effected in that way. But this was hazardous for military reasons, so long as the principal southern ports were held and occupied by the insurgents under our siege.

The maritime powers, by treating the insurgents as a lawful belligerent, obliged us to maintain war against them not only on land but at sea, in every part of the world. The capture of New Orleans, of Beaufort, of Newbern, of Fernandina, and of Port Royal, and the partial capture of Savannah, have changed our position in this respect, so that we seem to have a fair expectation of clearing the ocean of rebel vessels and of protecting ourselves against contraband commerce. Measures are therefore being taken to open New Orleans and one or more other ports without delay. If it shall fall in your way to urge the return of the maritime powers to the position they held in relation to us before the insurrection broke out, as a demonstration of reciprocal good will towards the United States, you will do a great service to the country and Europe by performing that duty. There can be no doubt that the war is approaching its end. Nothing can protract it but the attitude of proclaimed neutrality, yet *practical* encouragement of the insurgents, maintained so perseveringly and yet so unnecessarily by the European powers.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

H. S. Sanford, Esq., *&c., &c., &c., Brussels.*

Mr. Seward to Mr. Sanford.

Department of State,
Washington, May 10, 1862.

Sir: Your valued letters of the 24th and 25th of April are before me.

Happily we have passed the point of danger. The revolution seems collapsing, and the United States, in possession once more of their important ports, will, under needful and prudential limitations, open them to foreign trade, because they can afford to exercise liberality and humanity. I might therefore perhaps dismiss the subject you have presented in your communications, but that would not be wise. We do not know and cannot foresee what may yet happen. I think it proper, therefore, that you improve the present auspicious change of our situation, and the friendly feelings which it will call forth in Europe, to impress upon the statesmen with whom you may come in contact the truth I have not failed to inculcate in every case and under every aspect of affairs—that the commerce of this country is to be enjoyed through the administration of this government over the whole of it, and not through any breach of the Constitution, or any division of the country, east or west, north or south. The country cannot be diverted from this course by any foreign persuasions, intimidation, or constraint. It can bear much and long from considerations of prudence, and yield much from motives of magnanimity; but it cannot be made to permit the loss or sacrifice of a particle of its sovereignty or of its independence. A collision between it and maritime powers is to be deprecated, and, if possible, in every case avoided; but its chief calamities would not fall upon the American continent. It betrays almost a perverse misconception of the character of this people to suppose, at this stage of the contest, that a separation of the Union on the ground of slavery is either near at hand or can ever occur.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

H. S. Sanford, Esq., *&c., &c., &c., Brussels.*

Mr. Seward to Mr. Sanford.

No. 60.]

Department of State,
Washington, May 23, 1862.

Sir: I have the pleasure of acknowledging the arrival of your confidential communication of April 29, and your despatch of May 1, No. 62. So much of the latter as relates to iron clad vessels has been submitted to the Secretary of the Navy.

The President, as you doubtless have already learned, has considered well and carefully the subject of the distress of manufacturers in Europe, resulting from the existing blockade of southern ports in this country, and has availed himself of the earliest convenient moment to relax that belligerent measure in regard to several of those ports, including New Orleans, the relief to take effect on the 1st of June next.

From the beginning of our domestic troubles there has been what has seemed to us almost a perverse disposition prevailing in Europe to look for the restoration of commerce only through a concession by the United States of sovereignty and independence to the insurgents. All our representations of a fixed and unalterable determination to maintain the integrity of the Union, although supported by measures of unsurpassed vigor and energy, have been constantly treated in Europe as if they were either insincere or made without adequate consideration of the national strength and resources. Yet it may well be doubted whether there is or ever was a people more really tenacious of integrity and of cherished aspirations than this one. If the disposition in Europe which I have described yet remains unchanged by all the successes of the national arms, then it is to be feared that the sufferers on that continent will derive much less advantage from the restoration of trade which has been accorded than is expected by communities who are naturally rendered impatient by misfortune.

I would endeavor to fix the mind of the enlightened government of Belgium upon a new phase of this unhappy domestic difficulty which is now distinctly presenting itself. I speak not speculatively, but from actual observation; not of what may happen, but of what is actually occurring. The insurrection in this country is consuming the products of agriculture already gathered. It is devoting to war the capital which ought, and which in time of peace would be employed in beneficent industry, and it is wasting the wealth which the inhabitants of the insurgent States would, under other circumstances, expend in purchasing the fabrics of foreign art and labor. More than this, it is demoralizing and disorganizing society itself. The war employs the master in arms, and even the slave, also, so far as, with his low intelligence, he can be made useful. When not so employed, he is left to support himself and his master's family, and to provide their contributions to the supply and payment of the insurrectionary army. Thus he contributes nothing to the wealth of the State. He discovers that he has an interest in withholding his exertions from the service of a master who perverts the fruits of his labor at the very moment when he becomes sensible that the master's control over him is relaxed. He admits the hope of freedom, and contrives how to escape from bondage. Wherever the armies or the navies of the Union approach he becomes immediately unfaithful, and prepares to follow the forces which, although they have come only to restore order, have, nevertheless, come to defeat the master who holds him in servitude. The master gathers his slaves to fly with them to some new and safer field. The slave deserts him wherever and whenever facilities offer. Want soon overtakes both the master and the slave, and then the relation that has always before been thought perpetual suddenly comes to an end.

Keen and sagacious minds perceive indications of a still more serious change. The slave, having become partially instructed in military operations and familiar with them, is already prepared to use the fatal knowledge for the overthrow of slavery itself. We have, within a few days, seen a slave crew seize an insurgent ship-of-war in the harbor of Charleston, skilfully bring her within the federal lines, and deliver her and themselves up to the commander of the national forces, and thus entitle themselves to a reward in the form of prize money. Charleston is, consequently, now under martial law, and there are mysterious apprehensions of a slave insurrection there.

However much this government may desire that the States shall remove or modify the practice of slavery, it is, nevertheless, its constitutional duty to leave that subject exclusively to the slave States themselves, and even to guarantee them against slave insurrections, as well as other dangers, so long as those States can, by the use of ordinary agencies, be held in their constitutional relations to the federal Union.

It is very easy, however, to see that a civil war between two parties of the white race could not continue long in this country without bringing the colored race into activity, even though that race had no special interest in the controversy. It is impossible not to see that the bondage of the African race is the remote cause of the present strife, and it is certain that whenever the slave shall intervene in it he will be found on the side which he justly identifies with the cause of emancipation. The civil war, through the operation of the causes I have indicated, is now on the eve of becoming a social—a servile war. Of course such a war would subvert the system of cotton production existing in this country. But it is upon that very system that the nations of Europe have so largely built their own vast structures of manufacturing and commercial industry. I am satisfied that the process of subversion has already begun. Not less than one hundred of the slaves in the insurgent States every day cast off their bondage, and cease to be instruments auxiliary to those systems forever. They are of both sexes and of all ages. How long will the slave production of cotton endure this rapid process of disorganization?

If the western nations had been careful to lend no direct or indirect aid to the revolution, the United States, through the agency of merely political motives, would have early restored the federal authority without destroying or even deeply disturbing the constitution of society, and slavery, instead of being brought to the sharp trial of servile war, would have been left to be removed peacefully and gradually by the agency of the States which were chiefly concerned with it.

Europe, on the contrary, strangely thought that, by discouraging the United States it would induce them to consent to dissolution, and so save the slave production of cotton in the slave States. Europe has thus put this beneficent government upon an ordeal more solemn and fearful than any through which a nation has ever passed. It is to try, at the peril of its life, whether the American Union is by itself stronger than the slavery which encumbers it, supported by the countenance, if not the actual protection, of foreign nations. We have accepted the trial reluctantly. We have found that the insurrection daily grows weaker, because slavery daily declines, and that the Union daily grows stronger, because, while it carefully preserves all the time the attitude of self-defence against aggression, the instincts of self-preservation, which sustain it, derive new and immeasurable strength from the concurring sentiments of justice and humanity.

If Europe will still sympathize with the revolution, it must now look forward to the end; an end in which the war ceases with anarchy substituted for the social system that existed when the war began. What will then have become of the interests which carried Europe to the side which was at once the wrong side and the losing one?

Only a perfect withdrawal of all favor from the insurrection can now save those interests in any degree. The insurrectionary States, left hopeless of foreign intervention, will be content to stop in their career of self-destruction, and to avail themselves of the moderating power of the federal government. If the nations of Europe shall refuse to see this, and the war must therefore go on to the conclusion I have indicated, the responsibility for that conclusion will not rest with the government of the United States. We shall see, in that case, whether those nations, Christian nations as they are, will in this, the nineteenth century, intervene with force to maintain African slavery in America against the will equally of the people and the slaves of America. I will not push the argument so far as to inquire what would be the probable result of such an intervention. Europe now knows and understands the policy which this government has adopted for the gradual and ultimate relief of the nation from the evil of slavery. It has been explicitly set forth by the President and adopted by Congress. If accepted by the slave States, it will restore peace and effect the desired result, without involving the sacrifice of a single personal right or privilege of any section of the country or of any State.

These are general observations, having no especial bearing upon the policy of Belgium, and worthy of consideration in that country no more, perhaps even less, than elsewhere in Europe. You may submit them to Mr. Rogier if he shall be willing to hear them. They will tend to satisfy him that this government is contending for the present interests of European society, while it is at the same time defending itself and maintaining the cause of human nature.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

H. S. Sanford, Esq., *&c., &c., &c., Brussels.*

Mr. Seward to Mr. Goodrich.

No. 2.]

Department of State,
Washington, July 15, 1862.

Sir: Your despatch of June 12 (No. 3) was received. I notice in that paper, as I have observed in others received from you, the statement that Mr. Rogier dwells on our high tariff as being very unacceptable to the Belgian government. We cannot doubt that it is so unacceptable to the manufacturing countries of Europe, and the governments of those countries ought not to doubt that we seriously regret it.

How shall the inconvenience be remedied? We cannot decide this question without considering the cause of the inconvenience.

For half a century we maintained a low tariff on foreign imports. Why? Our slaveholders employed themselves and their slaves in producing surplus cotton for exportation, and a low tariff enabled European manufacturers to purchase that surplus, while we received payment for it in their productions.

A year ago the slaveholders abandoned these peaceful practices of producers of cotton, relinquished the cultivation of it and devoted all their own energies, with the labor of their slaves, to civil war, designed to overthrow this government and betray the country to the rule of foreign powers. As a military policy they destroy the cotton already in hand and cover their fields with Indian corn instead of cotton. Of course we can send much less, practically no cotton to Europe. How then could we pay for European products? Certainly only in gold and grain. We do this cheerfully, but we acquire the ability to do it only by manufacturing whatever we can make for ourselves. We need increased revenues to maintain the public defence. Besides direct taxes, we must raise revenue by a tariff on imports. The increase of duties is, therefore, a purely revenue measure, enforced upon the government by the new attitude of the former producers of cotton. When that attitude was assumed the European governments were warned that a new revenue policy must be adopted and maintained unless the civil war could be arrested, and we applied ourselves to arrest it. No one will now say that we have been deficient in energy and self-sacrifice in that respect.

The interests of the manufacturing and maritime powers of Europe on that occasion were identical with our own. They wanted the war arrested. But while desiring that end they, in spite of our remonstrances, have taken the very means calculated to stimulate and prolong it. They declare themselves indifferent between this country and the aforesaid producers of cotton who assail it, and they give to the latter, prematurely and unnecessarily, the privileges and advantages of a public belligerent, privileges and advantages which continually encourge them to expect armed alliances and interventions. Thus the European states have morally upheld the slaveholders in the destruction of the whole system upon which the policy of low tariffs in this country was built. What explanation of this can there be but that Europe prefers political ends to commercial interests? What remains now for the European states to do? Either to continue their indirect favor to the slaveholders or to change their relations towards this country in that respect. If they continue these, a servile war will follow, and that will completely extirpate the cotton culture in America. If they change these, the insurrection will decline and society return, so far as is now possible, to the habits it heretofore pursued. You may submit these views to Mr. Rogier, and may say to him, further, that in our view Providence is just and impartial; that if, as all the world seems to have agreed, slavery is a crime against humanity, and its continuance here a reproach, it is nevertheless a crime which other nations have encouraged and by which they have profited as well as the United States; and that those nations seem to us to have erred in supposing that they, having thus profited, could expect exemption from suffering and be altogether relieved from the necessity of adopting wise and prudent counsels in regard to the emergency, now when slavery refuses longer to perform its accustomed peaceful functions and turns to rend these nations as well as our own country.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

AARON GOODRICH, Esq., *&c., &c., &c., Brussels.*

Mr. Seward to Mr. Sanford.

No. 64.]

DEPARTMENT OF STATE,
Washington, September 18, 1862.

SIR: Your despatch of August 26 (No. 66) has been received. The general scope of the conversation with Mr. Rogier, which you report, shows how impossible it is for the European states to apprehend the course of an American one in regard to its domestic questions, even when they are brought to the unconstitutional test of civil war. To us the paramount, the vital question in this struggle is the preservation of the national integrity. or, in one word, the Union. Mr. Rogier turns at once from this to the question, when will peace come with the blessing to Europe of a fresh supply of cotton? This matter being dropped, he passes next to the economical results of emancipation as a result of the war. Thus it is that the European mind is occupied with mere collateral incidents and ultimate consequences of the war, while the vital question, of course, absorbs all the thoughts and anxieties of this government. There is nothing in all this to complain of. It is the experience of nations.

The period which has elapsed since your recent departure from this country to resume your duties abroad has been filled with events of the highest importance, exciting the most intense interest and anxiety. Contrary to what we hoped, the two retiring armies in Virginia did not effect a consolidation without disasters which enabled the insurgents to pass this city, reach the fords of the upper Potomac, and cross into Maryland, threatening, while there, this capital, Baltimore, and even Pennsylvania. Similar aggressive movements were made by them in the west; so that, for the last ten days, while we have surrendered no really important point that we held in the insurrectionary region, we have been maintaining, instead of an offensive, a defensive war. Recent occurrences induce a hope that this painful position is about to be relieved. But it would be useless to speculate upon results depending on battles which are imminent. The telegraph tells to you and to everybody all that it communicates to the government, and with equal despatch. I may, however, properly mention that recently recruiting has very rapidly revived, and that all the requisitions which the government have made are being promptly filled. The new forces are constituted by a class superior, I think, to any that have ever entered the field in any country.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., *&c., &c., &c., Brussels.*

Mr. Seward to Mr. Sanford.

No. 65.]

DEPARTMENT OF STATE,
Washington, October 6, 1862.

SIR: Your letter of the 16th of September last has been received. I am glad to learn from it that the pressure in the cotton market in France is less severe than the vague reports of the press which are received here would induce us to suppose. It is still more agreeable to learn that Europe is coming, though slowly, towards an attitude of independence of the cotton supply from this country. The obstinacy of the cotton producers in demanding an overthrow of this government as a condition for allowing the material for European manufacture, and their persistency in this desperate policy, must soon bring home to Europe the question which engages us, namely: whether all human interests, all human rights, all moral principles, and all political systems throughout the world, with all their influences upon civilization, present and future, are to be controlled and settled by a monopoly of African slaveholders in this country? We have reached the question whether slavery shall live and free government perish on the American continent. We must try it with Europe against us, if such an ill omened alliance cannot be averted. We trust, however, that it may be averted, and in that case the trial is already approaching its end.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., *&c., &c., &c., Brussels.*

Mr. Seward to Mr. Sanford.

No. 66.]

DEPARTMENT OF STATE,
Washington, October 6, 1862.

SIR: Your note of the 15th of September last has been received. Manifestly it was written under much excitement and in a moment of despondency. The news you had just then received produced the same effect here. The despondency of our friends in Europe is not, therefore, surprising. But there was no real occasion for gloomy apprehensions on either side of the ocean Reverses are as unavoidable in civil wars as successes are certain with a good cause, large forces, and abundant resources. The reaction has only recently commenced here, and it will be felt in Europe when this despatch shall arrive.

Rest assured that it is not one nor even a series of defeats of the national arms that can destroy this government. Nor is it in the power of the metropolitan presses of Europe to shake its foundations. We are solving for ages the question whether there shall be one free political State in our great country which shall peacefully regulate all conflicting interests by debate, as heretofore, or whether we shall now adopt the European system of independent states indefinitely, multiplied and maintaining themselves with standing armies, keeping peace only by temporary and ever uncertain truces. The condition of things existing in Europe may pass away, but ours will not.

How could we attempt to regulate the press of Europe when we cannot regulate our own? Where are the funds which would be necessary? Who the agent that could be trusted with them? What an endless chapter of political intrigues should we be opening! Who in our country has the skill to conduct them? No, no. Let us trust in the mighty interests this nation has at stake, the enduring principles it maintains, the noble sentiments the struggle inspires, and the intelligence and virtue of a people who have a higher and happier destiny before them than was ever set before any other portion of mankind. The interest of Europe is to let us alone, and the sentiments of mankind will not allow interference which is at once wrong and pernicious to the world's peace.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., *&c., &c., Brussels.*

Mr. Seward to Mr. Sanford.

No. 67.]

DEPARTMENT OF STATE,
Washington, October 10, 1862.

SIR: I have your private letter of the 23d of September, which, in its subdued tone and spirit, is like the last of your favors which it has been my duty to acknowledge. I trust that you may have been encouraged to entertain more hopeful views by the auspicious news which you will have received long before this despatch shall come to your hands. It is an obvious and cheering fact that the insurgent invasion of the loyal States has everywhere failed. I might speak of our expectations of advantage from military and naval movements already in progress, but that would be, in some sort to commit myself concerning the success of operations which depend on circumstances beyond human control or foresight. I may, however, safely remark that the buoyancy of expectations on the part of the insurgents has passed away, and that apprehensions of danger are manifested by them which indicate a condition very unfavorable to long persistence in their designs. Besides this fact, the proceeding of the President, in giving warning to the insurgents of the necessity for a return to their allegiance under the penalty of a withdrawal of the protection hitherto extended to their system of slavery by the federal government, must exert no small influence upon the fortunes of the civil war they have so unnecessarily and wantonly waged against the Union.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Henry S. Sanford, Esq., &c., &c., &c., *Brussels.*

Mr. Seward to Mr. Sanford.

No. 68.]

Department of State,
Washington, October 13, 1862.

Sir: Your two despatches of September 26 (Nos. 69 and 70) have been received.

It is an occasion of sincere satisfaction to the President to know that his Majesty the King has recovered his health, and that his popularity has augmented during his long and painful confinement.

The remarks of Mr. Rogier concerning the condition of our domestic struggle might surprise us if we had not too many other proofs that Europe, as might naturally be suspected, reasons in regard to our affairs under the influence of its own temporary interests and impulses, and not those which are inspired by concern for our own permanent safety and welfare, or even the permanent welfare of Europe itself. There is, nevertheless, an opinion in foreign circles that does appear unaccountable, namely, that this government, with the loyal people that are sustaining it, are desiring, or being prepared to desire, a compromise with the insurrection. No country in the world has ever poured out, in an equal period, so much of its treasure and its blood to save its integrity and its independence. These precious streams have flowed from springs as free as they are abundant. They are renewed now as freely and as plentifully as before. Temporary and partial disappointments not only produce no despair or despondency, but they stimulate and invigorate. These facts might be expected to satisfy Europe that the insurrection is not likely to be brought to an end by the surrender of the destinies which the country claims as its own. Our cause is now, as it was in the time of our great revolution, the cause of human nature. It deserves and it yet will win the favor of all nations and of all classes and conditions of men.

A copy of so much of your despatch (No. 70) as relates to New Orleans will be transmitted to Major General Butler. The international congress for the promotion of social science seems to have been wise in foregoing a discussion of American affairs under influences committed to the extension of slavery, which desolates one continent in preparing scourges for another and hindrances to civilization throughout the whole world. There is one fundamental principle of social science which cannot be too steadily kept in view by all who desire to promote the advancement of civilization, namely, the principle that every people ought to be left free to establish their own institutions, regulate their own affairs, and arbitrate their own domestic conflicts.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Henry S. Sanford, Esq., &c., &c., &c., *Brussels.*

Mr. Sanford to Mr. Seward.

[Extract.]

No. 43.] LEGATION OF THE UNITED STATES,
Brussels, January 9, 1862.

* * * * A despatch from the English government to its representative here, Lord Howard De Walden, states that Messrs. Mason and Slidell have been given up. Should this prove to be the case, the effect will be highly favorable to us in continental Europe. The eagerness with which the different powers have hastened to put us in the wrong and England in the right, the desire evinced that we should not defend English law, but yield, shows, if not a lively interest in the preservation of the Union as a counterpoise, at least a lively jealousy at the increase of British influence, the augmentation of whose power they wish to thwart. I observe that in all their notes they make a point of avoiding an expression of opinion on the legal question, because they know the seizure was in conformity with the *principle* of law, as declared and practiced by Great Britain and submitted to by all others, though the principle has always been opposed or reluctantly yielded by the continental powers and ourselves. They now unanimously reassert the true doctrine, which, as before said, puts England in the right and us in the wrong, *in this case*, and I cannot doubt that the result will be valuable as forcing England to abandon definitely her old position touching belligerent rights; and the evidence of jealousy and feeling of other powers, as ready to profit of her exigencies as she is to take advantage of ours, is also not without value.

I have the honor to be, sir, very respectfully, your obedient servant,

H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Sanford to Mr. Seward.

No. 46.] LEGATION OF THE UNITED STATES,
Brussels, January 14, 1862.

SIR: The news of the settlement of the "Trent" affair has given universal satisfaction here. As influencing public opinion, it has caused a very considerable reaction in our favor, which, I doubt not, will gather strength.

The surrender by England, when they are applied to herself, of her own cherished principles of international law, principles which she has ever enforced and practiced upon unwilling Europe, is considered a great gain. I hope she will not prove apostate to her new faith; and the eagerness and unanimity with which the great powers have, while avoiding discussion of an act in conformity with her established usage, urged us to yield in favor of neutral rights, and thus secure Great Britain in her new position, are significant, in my view of it, of anything rather than sympathy for England or hostility to ourselves. England can hardly congratulate herself upon this intervention, which indicates not alone the desire to secure a recognition of the more liberal extension of neutral rights, but a jealousy of an attempt to cripple a power recognized as a necessary counterpoise in the world's affairs. The eagerness of the government which, ignoring its own precepts and believing its own practices, seeks a pretext to fasten a war and disaster upon us is now exposed, and, it is to be hoped, will meet fitting retribution at home and abroad. The sentiment is universal here that she will now, failing in this pretext, seek one upon the question of the inefficiency of our blockade. I look to Parliament, public opinion, and the success which I confidently expect we shall, in the next thirty days, have tidings of, to squelch out this further attempt of a selfish and jealous governing class to destroy our power and check our development.

The cry now sought to be raised about the "vandalism" of shutting up a port with hulks instead of bombarding and destroying it and its inhabitants, is in keeping with the whole transaction. My opinion is, our cause is at this day stronger in Europe than at any time before, since the Bull Run affair.

I have the honor to be, sir, your obedient servant,

H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Sanford to Mr. Seward.

[Extract]

No. 55.]

LEGATION OF THE UNITED STATES,
Brussels, March 20, 1862.

SIR: * * * * * * *. Politically, I have little of moment to report. The impression created by the brilliant successes of our arms is steadily gaining strength in all circles, that we are surely to triumph over the rebellion, and is reflected in the organs of public sentiment, and in the language of the governing classes, who, whatever their secret antipathies to a system of government whose success assures new agitation and revolutions in old Europe, speak now most respectfully of a government whose unexpected strength and resources, as evidenced in the war, has made a deep impression upon them.

I have the honor to be, with great respect, your most obedient servant,

H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Sanford to Mr. Seward.

[Extract.]

No. 58.]

LEGATION OF THE UNITED STATES,
Brussels, April 3, 1862.

SIR: * * * * * * * * * * *

The general sentiment touching our affairs is excellent. The message of the President, with respect to slavery, has been read with almost unanimous encomiums.

With the increasing respect which the success of our arms causes in the general conviction that the rebellion is nearly crushed out, and the continued rout or surrender of its forces before our armies, in contrast with the vain-glorious boastings of their leaders, has been a source of contemptuous comment.

No one event in the course of the war has excited more interest in Europe than the naval action in Hampton roads. Its results can hardly be measured. It is admitted on all sides that the "Monitor" has revolutionized the whole system of maritime warfare.

I have the honor to be, with great respect, your most obedient servant,

H. S. SANFORD.

Hon. William H. Seward,
Secretary of State.

Mr. Sanford to Mr. Seward.

No. 66.]

Legation of the United States,
Brussels, August 26, 1862.

Sir: I have the honor to report to you my arrival at Liverpool on the 9th, and at my post on the 23d instant.

I saw M. Rogier on the occasion of a friendly call the following day. He was preparing for a journey to England the next morning, and our conversation on public topics was quite informal.

He assured me, in answer to my inquiry, that his government had not been approached by any of the other powers with a view to joint action in respect to the war in the United States. Belgium was a neutral and a small power, he said, and could not be expected to take part in such schemes did they exist. They were suffering greatly from the effects of the war, he continued, and he inquired as to its probable duration and if there was no prospect of a compromise. I replied, the duration of the war would depend very much on the encouragement given to the insurgents by European powers, that they had to thank for the present distress the eager haste of England and others in according belligerent rights to the insurgents in anticipation of hostilities, and which greatly stimulated and aided their efforts; that there was no thought of compromise or cessation of the war till the whole country had returned to its allegiance. The war was a domestic affair, in which neither intermeddling nor intervention would be tolerated from any quarter. We were grieved that its effects weighed so heavily on Europe, but it was Europe that had constantly reproached us with the crime of slavery, and urged upon us its abolition, and it was but fair it should now bear its share of the burdens which the war, the result of that "institution," and which would probably cause its extinction, had created.

M. Rogier remarked that the condition of the negro, if free, did not seem to be much ameliorated in the northern States, where he was not tolerated as an equal, and inquired what would be done with the slaves if emancipated. With regard to that, I replied, there certainly was a prejudice in the United States against the African race, which local and municipal legislation had given expression to, and certainly the negroes, a tropical race, had not thriven nor could thrive in the temperate regions of the north, and were, consequently, not generally regarded with favor. I did not perceive why they might not labor as freed men as well in the southern States as in a condition of slavery. They were found, as slaves, to be a source of great profit to their masters; why could not their labor be turned to their own profit? It was certain that the white man could not be employed to advantage in tropical cultivation, and it seemed to me that the negro, or some other tropical race, would always be needed there to cultivate the free cotton and rice, to take hereafter the place of slave-grown cotton and rice. I had been struck on a recent visit to the French and Danish West India colonies with the good results attending a judicious administration of their vagrant or labor laws. I found that the emancipated blacks were happy, contented, and laborious, and that the products of the islands were steadily increasing with their free labor. But these were questions to be treated as they arose.

The war, I went on to say, had its origin in the ambition of a few politicians who had sought to build up a slave empire for the benefit of themselves and a small oligarchy of slaveholders, and for the overthrow of liberal institutions and universal suffrage. Unlike revolutions in old Europe, this was an aristocratic party against democracy. They had, under various false pretences as the war progressed, induced a large portion of the population to join in resisting the federal authority, and the struggle would, I feared, be a long one. Our present care, I continued, was to restore the authority of the laws; if slavery, the cause of it, was destroyed in the process, it would be for us to provide as we could for that event.

Mr. Dudley Mann, agent for the insurgents, is still here and has vainly sought to be received by the government. He has sent a long communication to Mr. Rogier, in favor of the cause he represents, which has received no reply.

The King is still an invalid, and still under the care of physicians, but is much better than at the time of my departure. The Queen of England is expected here to make him a visit of three days, on her way to Cobourg, a few days hence.

I have the honor to be, with great respect, your most obedient servant.

H. S. SANFORD.

Hon. William H. Seward,
Secretary of State.

Mr. Sanford to Mr. Seward.

No. 67.]

Legation of the United States,
Brussels, September 2, 1862.

Sir: I returned yesterday from Ghent, where I have been to inform myself concerning the condition of the working classes, as affected by the scarcity of cotton. For months past public and private charity throughout the kingdom have been invoked in behalf of the distressed workmen in Ghent, and those appeals have been responded to with great liberality by all classes of people in the country, who have contributed over 350,000 francs in aid of these suffering artizans.

Ghent is, as you are doubtless aware, the principal centre of cotton manufacture in Belgium, about two-thirds of the 70,000 bales manufactured in this country being consumed in that city, and employing, of the 40,000 workmen engaged there in various branches of manufacturing industry, 10,157, in nearly equal proportions as cotton spinners and weavers. Of these, 3,818 are entirely out of work, and of the remainder 3,650 are employed from five to nine hours per diem, 1,472 from nine to twelve hours, and 1,217 from twelve to fourteen hours in the day.

The plan first proposed, of employing these people on the public works, has been abandoned, as they are found to be physically unfit for out-of-door labor, and where not sent, as has been and is still done, so far as practicable, to districts occupied in other branches of manufacturing, such as linens, woollens, &c., they will have to be supported by public or private contributions.

The result of my visit to Ghent has been but to confirm the impression which inquiries elsewhere had created, that the distress of the workmen in the cotton manufacturing districts is not to be ascribed solely to the want of cotton and to the war in the United States, but rather to the over-production of previous years, which had led to accumulation of stocks of manufactured goods. Thus the price of American cotton has increased since the commencement of the war four fold and India cotton five fold, while the price of the manufactured goods in ordinary use has only doubled in the same period. The manufacturers with whom I conversed all admitted that the difficulty for their workmen was not want of cotton, but want of orders, those mills which are the most occupied now being engaged in filling orders dating long back, and from cotton purchased months ago; that they have the English market to buy from, and do buy as they need for the trifling orders they receive; that American cotton is not a necessity; on the contrary, that they are learning to do without it, not five per cent. of their present consumption being from the United States, the India cotton having taken its place, and the stock thus far (340,000 bales are now on the way from India) has been, and is likely to be for some months to come, sufficient for the diminished demand of manufacturers.

The war has, in fact, been a piece of good fortune to the cotton manufacturers generally, insomuch as they have made, probably, more money from the rise of cotton (the manufacturers of Lancashire are reputed to have made from twenty to thirty millions of pounds sterling) than they would have gained in their ordinary business had there been no scarcity, and they have also been saved from a crisis, the result of over-production, which would have certainly thrown many workmen out of employ and caused similar distress to that which is now so industriously ascribed to the war in the United States.

Cotton has been also sold in Ghent for exportation, but the amount is small. To the honor of the manufacturers, there seems to have been less disposition in Belgium to speculate in cotton and sell their stocks, leaving their workmen idle, than in neighboring countries. I have also observed that there seems no disposition here to mislead the working classes with regard to the real cause of their distress.

It is a source of satisfaction to observe that the appeals made in other countries to the passions of the working classes in ascribing their sufferings as due to "the injurious and useless war in the United States" have been thus far without the desired result of exciting hostility to the cause of the Union and consequent favor to that of the rebellion. So far as I have had opportunity by contact with them, or those who represent them here and elsewhere, they feel that they have a part in this war for which they are ready, if need be, to suffer, as they suffer now, and have before, from the speculations of their masters; that it is a cause worth suffering for, that of humanity, of freedom and self-government; that democratic institutions, which the people everywhere in the civilized world hold in affection, are now on their trial, and that upon its issue depends greatly the cause of progress and of liberal institutions everywhere.

I have the honor to be, with great respect, your obedient servant,

H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Sanford to Mr. Seward.

No. 69.] Legation of the United States,
Brussels, September 26, 1862.

Sir: The King, who is restored to tolerable health, made his entry into Brussels yesterday, on the occasion of the national fêtes, and was enthusiastically received by all classes of the people.

I duly received your despatch No. 62, and communicated its contents to M. Rogier yesterday—saying that I desired to keep him advised of the views of the government in the various phases of the crisis which the country was passing through. He expressed his hopes that an arrangement could be made now—he thought we would have to end by making one. I replied, I knew of no possible one on a basis of a division of the Union. He remarked upon the strength and military spirit shown by the rebels. I replied that they fought well; they were our own race; that the men were fighting from a mistaken sense of loyalty, with the idea inculcated by their leaders that they were resisting invasion and threatened servile insurrection, and they were developing rapidly into a military people. It might be a source of reflection to European powers, who had encouraged these rebels at the outset, that they had contributed towards building up a military power that would, if the rebellion succeeded, be likely to cause them trouble. That the idea of the getters-up of the rebellion was to form a great military aristocracy, based upon slavery, which would make the whites all fighting men, and to extend the area of slavery over Mexico, Central America, and Cuba, on a grand filibustering scale, and, holding a vast territory and the monopoly of cotton, to pursue the same wilful, reckless career for power and conquest which had characterized their efforts, made powerless, however, by the north for years past; that the idea entertained by many of a great profitable trade with the south would be found illusive—a population composed of slaves, who would require nothing from Europe, of a poor and numerous class of whites devoted to agriculture and with few and simple wants, and a comparatively few wealthy slaveholders, would never require large amounts of transatlantic manufactures, compared with the northern States, which for years past had consumed nine-tenths of the foreign importations of the whole country. M. Rogier remarked that, whatever might occur, he thought the cotton monopoly of the south was at an end forever.

An international congress for the promotion of social science, which has been in session here for four days, has closed to-day. It was proposed, I believe by some of the English members, to make our war and the project of an address to the American people a subject of discussion at the general meeting of the congress to-day. The possibility of an amendment touching the revolt in India, or the opium war in China, or some other equally appropriate subject for discussion by the congress for the promotion of social science, perhaps, may have prevented the carrying out of the plan of the English philanthropists, who have, however, called a meeting at one of the hotels here, of such of the members as are so disposed, for the discussion of a proposed address to the American people. The address will probably be found to contain the ideas of a class of Englishmen whose interests and whose policy are for the dismemberment of the Union.

I have the honor to be, with great respect, your obedient servant,

H. S. SANFORD.

Hon. William H. Seward,
Secretary of State.

Mr. Sanford to Mr. Seward.

No. 68.] LEGATION OF THE UNITED STATES,
Brussels, May 12, 1862.

SIR: In view of the important changes about to be made in our revenue system, and believing that we can consult with profit the experience and the practice of other states in respect to taxation, I deem it proper to submit to you, somewhat in detail, an analysis of the revenue system of Belgium, which I think may prove of special interest as based upon the system of other nations, modified so as to conform to the more liberal institutions of a semi-republican state.

The revenue system of Belgium is based, 1st, upon the French laws which remained in force after its separation from France, in 1814, and which are the foundation of the whole structure; 2d, upon the laws established in common for Belgium and Holland while it was a part of the kingdom of the Netherlands, (from 1815 to 1830;) and 3d, upon the legislation since the revolution of 1830.

The French revenue system was described by me in a memoir when chargé d'affaires at Paris, accompanying my No. 48 to your department, and was printed by order of the Senate as Executive Document No. 68 of 33d Congress, 1st session, and I beg to refer to it for an outline of the then existing system in France, to p. 187 *et seq.*, and for details touching its administration to pp. 277, 278, and 290 *et seq.* of appendix.

The taxes and imports in Belgium may be divided into four great divisions, viz:

I. Those which are paid on account of what a person possesses or what he acquires in a continued and permanent manner.

II. Those which are paid on account of accidental acquisition, whether by purchase, inheritance, or by process of law.

III. Those upon very common articles of consumption.

IV. Those for services rendered by the state to the people.

There are, besides, some other sources of public revenue, but of small importance, difficult to class in any of those categories, and which will be indicated hereafter.

I.

To the first category belongs the tax on real estate, "foncier," instituted by the French law of 7 Frimaire, an 7, and which is upon the net revenue of all lands and buildings, established by an evaluation which the state makes periodically of all real estate, and which is called the "*Cadastre.*" The present basis of the tax is upon the valuation of 1843. The amount of this is 18,886,290 francs, or $3,777,260, and is levied on 848,000 proprietors at a cost of about 11 per cent.

2. The *personal tax,* which corresponds greatly to what are called assessed taxes in England, and from which this is copied. It was established by the law of 8th June, 1822, under the Dutch *regime,* and is, consequently, the same in Holland as in Belgium. It is established in the valuation of the gross rental or revenue of every habitation or building which exceeds $8 40 per annum; on the number of doors and windows of inhabited houses; the number of fire-places therein; the value of the furniture; the servants employed, when permanent and for domestic service; upon horses for pleasure or other than necessary labors for the trade or business of the owner.

The tax on doors and windows varies according to the population of the towns in which the dwellings are located. The tax-payers themselves declare the number of their fire-places, and of their servants and horses employed by them. The residue is generally submitted to the valuation of agents of the government.

This tax varies, necessarily, according to the augmentation of houses and the increase of the national wealth.

It amounts to $2,101,000, and was imposed in 1861 on 402,115 persons.

3. The tax on licenses, or *patente*, so called, which is upon the revenue of all trades and occupations save that of agriculture. It was established by law of 5th May, 1819, and is still, in its general principles, imposed also in Holland.

Every industrial occupation pays according to the bases of evaluation, which are different according to these occupations. These bases are declared by the tax-payer, and are subject to government control and verification. When labor is the principal agent, the basis is the number of workmen; when the capital is the principal agent, the basis of the tax is the conjectured annual profit. For other occupations the basis is, in addition, the relation to the population of the localities where these occupations are exercised. This tax amounts to $803,000, on 286,545 persons.

II.

1. The registry tax comes first under this head. It was established by a law of the French republic of 22 Frimaire, an 7, and is still in force in France as well as Belgium.

This tax is levied upon every sale, donation, or gain, by sentence of court, of real estate and personal property, and is generally 4 per centum of the price; and on personal property, when by written act or (for sale) by public vendue, is much less than for transfer of real estate, varying from 2 per centum to ½ per centum, according to the nature of the property.

There is also a registry tax upon leases of rural property, proportioned to the rented value and the duration of the lease. There is also a registry tax upon all written acts and contracts liable to be used in court, and which varies according to their nature. This tax amounts to $2,660,000.

2d. The tax on mortgages, which is levied on all acts of mortgage or hypothecation made to secure a debt, and varies according to the debt. This tax amounts to $485,000.

3d. The tax called *de greffe*, record office, on copies given and demand of decisions, or acts of courts of justice, &c. This tax amounts to $50,000.

4th. The tax on heritages in collateral line, established by a law of Holland of December 27, 1817, and in force at this time equally in that country. This tax varies from 4 to 10 per centum on the value of the heritage, the degree of relationship, or the absence of any. It is one-half the amount when the property is left in entail. This tax amounted, the past year, to $1,740,000.

5th. The tax on heritages in direct line, which was established in 1853. This tax is 10 per centum upon what is inherited in real estate. It amounted, in 1861, to $31,000; and on surviving widow or widower to $30,000.

III.

1. The *custom duties*, established according to tariffs, which have been frequently modified, and which have lately ceased entirely with respect to cereals, and have been greatly reduced of late upon imports generally.

Tonnage dues are also included under this head. The aggregate receipts are $3,223,000, at a cost of perception, owing to numerous officers (5,000) to guard its frontiers, of about 30 per centum.

2. *Excise.* The bases of this tax were established, under the government of Holland, in 1822, but the laws regulating it have been frequently modified since 1830, both with respect to the amount of the tax and the mode of perception.

This tax is levied on articles of very general consumption. In the time of the Dutch there was an excise upon flour and upon meat. This has been abolished in Belgium by the revolution separating Belgium from Holland. The excise exists at this time upon all foreign wines, beer, and vinegar, foreign and domestic spirits, and upon sugar. The tax differs on the various articles. The total amount levied under this head is $9,374,000.

IV.

The sources of revenue under this head are simply payments made to the state for services rendered, as, for example, railroads and telegraphs, highways and canals, which it owns and carries on and derives revenue from transportation upon messages and tolls, from the post office, from the guarantee of gold and silver articles, the mint, &c., &c. The amount from these sources is $8,024,000.

There are, in addition to these four categories, other taxes not properly falling within them. First among these is that of stamps, (timbre,) which is one of the taxes established, like the real estate and registry tax, during the French regimé, and is still in force in France.

This tax consists in a stamp placed by the state upon paper which must be employed for various acts in ordinary commercial and industrial transactions, public procedures, &c. This paper is sold in certain public bureaus, at a price marked on each sheet, and which varies according to the nature of the act. It produced in 1861 $721,000.

The state also possesses some domains which are sources of revenue, and there are some other imposts of too trifling a nature to be designated here in detail, producing about $1,000,000.

The aggregate amount of the revenues of Belgium resulting from the sources indicated is $30,000,000, for a population of 4,500,000, and at a cost of about ten per centum. Articles of consumption furnish thirty-nine per centum of the amount, and real and personal property pay the remainder, (sixty-one per centum,) showing that taxes are lighter upon the masses here than in France or England, the proportion in France being forty-five per centum for the first and fifty-five per centum for the second, and in England seventy-one per centum and twenty-nine per centum, respectively.

To this general outline of the revenue system of Belgium, a full and detailed account of the various branches of taxation indicated is indispensable for practical purposes.

The constitution provides that no tax or impost to the profit of the state shall be established save by law, and, moreover, that these taxes shall be voted annually, and the laws which established them shall have force but for one year if not renewed. In accordance with this provision, the law containing the budget of ways and means provides each year that the taxes existing on the 31st December in principal and additional, ordinary or extraordinary *centimes,* (or per centum,) shall be collected during the new fiscal year according to the laws and tariffs which regulate the paying and collection of the same.

It is of these laws that I propose giving the analysis.

I.

1. *Foncier,* or real estate tax. The articles of the French law of 3 Frimaire, an 7, constituting the tax, are as follows:

"Art. 2. The levying of the real estate tax is made in equal proportion upon all real property, according to the net annual revenue, without other exceptions than those determined hereafter for the encouragement of agriculture or for the general interest of society.

"Art. 3. The net revenue of lands is what remains to the proprietor, deduction made from the gross product of the expense of culture, sowing, manuring, and keeping up the land.

"ART. 4. The taxable revenue is the mean net revenue calculated upon a certain number of years.

"ART. 5. The net taxable revenue of houses, and that of manufacturers, forges, mills, and other like establishments, is what remains to the proprietor, deduction mado of rental valuation, calculated upon a certain number of years, of the sum necessary to indemnify for wear and tear, expenses of keeping up the establishment, and for repairs."

The sum of the operations to arrive at this valuation is called the *cadastre* survey and valuation of lands, and is a detailed work of surveys, valuations, &c., in which all changes in real property, whether by sale or other transfer, building or destruction of houses, are carefully noted, and by which the extent as well as productive value is determined.

The tax at the time of forming the *cadastre* was calculated at four per centum upon the revenue. It is probably, with the increased value of property, at this time less than half that. By law of 9th March, 1848, the principal of real estate tax was divided among the nine provinces of the kingdom according to the result of the *cadastre;* and the law further provided that the amount of taxable revenue arrived at on the 31st December, 1843, should be the basis of this tax, until a new revision of the cadastral operations. The whole amount thus fixed for the kingdom is $3,188,905, divided, as before said, in determined sums among the nine provinces of Belgium.

In addition to this principal sum there are what are called additional *centimes,* or percentage, the amount of which is fixed each year by the law of the budget. For 1862 they are as follows: three centimes additional *ordinary;* two centimes for non-values; ten centimes extraordinary; three centimes supplementary—making eighteen centimes, or eighteen per cent., thus swelling the amount by nearly $600,000.

Exemptions.—The streets, public places serving for markets or fairs, the public roads or highways, and river are not taxable.—(Article 113, law of 3d Frimaire, an 7.) Taxes on lands occupied for military works, or inundated so as to give no revenue to the proprietor, cease from that moment to be due up to the time when the enjoyment of the same is restored to him. A deduction may also be made on taxes due upon property of which the enjoyment of a part has been lost to the owner.—(Royal decree of June 11, 1815.) Buildings destined for public service, as indicated by law of 11th of August, 1808, are also exempt from this tax. Also schools in which teaching is entirely gratuitous, and which belong to charitable establishments. The buildings, however, serving for dwelling to the masters of such schools, are not exempt.—(Decree of 17th of September, 1808.)

Canals destined to conduct water to mills, forges, and other like establishments, or for irrigation, are taxed on, but only for, the amount of space which they occupy, and upon the footing of the lands they pass through only. Canals for navigation, constructed at the expense of the public or of individuals, are not subject to this tax, save for the amount of land they occupy, and as land of first quality.—(Law of 5–15 Florial, an 11.)

Woods and forests belonging to the nation are also exempt.—(Law of 19 Ventose, an 9, art. 1.)

Temporary exemption is accorded for buildings newly built, reconstructed, or enlarged, as well as for wild or uncultivated lands which are to be put under culture.—(Law of March, 28, 1828, and also of March 25, 1847.) A reduction is allowed for houses remaining uninhabited during the year, but of the part of the tax laid upon the construction only.

The mechanism of the legislation touching this tax is very simple. The division of the whole amount, which is determined each year by the legislature, is made, as has been shown, in an invariable manner between the nine provinces of the kingdom. On the 31st of December all the revenue liable to taxation is added up in each province as determined by the *Cadastre*, (survey of lands.) This total sum of revenue divided by the amount fixed for the province, gives the per centum of tax to be paid under this head for the year. It is evident, therefore, that with the increase of buildings, improvements, and consequent valuation of lands, that this tax, the amount of which was fixed arbitrarily years ago, is now much lighter upon the real property of the country than at the time of its establishment. The number of proprietors in Belgium who pay this tax is about 848,000.

2. *Personal tax.*—This tax is established by the law of June 28, 1822, upon the six following bases: 1, rental; 2, doors and windows; 3, fire-places; 4, furniture; 5, domestics; 6, horses. The law carefully defines these bases and determines the amount of the tax as follows:

1*st basis—rental.*—Article 2. "The personal tax upon rentals shall be 4 per cent. upon the annual gross rental of every dwelling or building."

2*d basis—doors and windows.*—Article 13. "The following tariff shall be paid for every door or window opening upon streets, courts, gardens, waters, or canals: For doors and windows of the ground floor and windows of first and second stories, in towns of less than 5,000 inhabitants, for each door or window, 17 cents; in towns of over 5,000 souls, but under 10,000, 21 cents for each door or window; in towns of 10,000 souls and over, but under 25,000, 25½ cents for each door or window; in towns of 25,000 and over, and under 50,000, for each door or window, 34 cents; in towns of 50,000 and over, for each door or window, 46½ cents. Windows of the higher stories and doors and windows of cellars which are used as dwellings, pay, in towns under 5,000 inhabitants, 17 cents each, and in towns over 5,000 inhabitants, 21 cents.

3*d basis—fire-places.*—When there is but one fire-place in a building, 17 cents; when there are two, each pays 32 cents; when three and more, up to twelve, for each 74 cents.—(Article 19.)

4*th basis—furniture.*—This tax is 20 cents for every $20 of valuation of furniture.—(Article 25.)

5*th basis—servants.*—For each domestic in the service of an individual or a family, the tax is $2 97. Where only one female servant is employed, the tax is only $1 69. For workmen or workwomen employed at the same time as domestics, the tax for each is $1 74.

6*th basis—horses.*—Upon horses of three years old and upwards the tax is as follows: For every pleasure horse kept by an individual or family, $8 48; for every horse kept by stage proprietors, riding-school owners, or livery-stable keepers, serving for the transportation of persons, $2 12; for horses exclusively destined for agriculture, manufactories, mills, professions, and trades, and which are also employed attached to spring vehicles, the tax for each is $2 87; for the horse of every soldier or functionary kept in accordance with the regulations of his service, when employed for other service than that prescribed by the regulations, the tax is $2 87; for every horse kept by a soldier or functionary in excess of the number fixed by the regulations, the tax is $8 48.

Horse merchants, or those whom the public recognize as such, at their places of residence, duly licensed, and who are not keepers of livery, if they have less than ten horses, pay $8 48; if they have ordinarily more than ten, they are liable to pay $16 96.

By a modification of this law, under date of March 12, 1837, horses employed as saddle horses or with spring vehicles pay $3 only, if employed principally or habitually by physicians, surgeons, veterinary doctors, manufacturers, commercial travellers, and farmers, in the exercise of their calling. Also horses used for the service of the militia, when employed on other occasions as saddle horses or with spring vehicles. The same tax is also paid for saddle or carriage horses but employed habitually for professions not designated above, when they are indispensable for the exercise of those professions.

Exceptions.—After having defined the bases and determined the amount of the tax, the law of June 28, 1822, and other subsequent laws, lay down the obligations of all those liable to taxes, prescribe the penalties in case of contravention, regulate the mode of collecting, and fix the cases of exemption, the principal of which are the following:

Upon the first four bases given are exempted:

1st. Dwellings of an annual rental of $8 48, and those rented by the week for less than 25½ cents.—(Law of June 28, 1822.)

2d. Buildings used for manufactories or mills, barns and stables serving for agricultural purposes; churches, schools, public establishments of instruction or charity; lastly, buildings employed for the public service—for the state, provinces, cities, or villages; but those parts of these buildings inhabited or employed for other than the public service indicated, are to be taxed.—(Law of June 28, 1822, and of June 28, 1832.)

3d. The proprietors or lessees of houses which are not occupied, save by guardians, and contain no furniture belonging to either, the portion occupied by the guardian in such case is considered as a distinct dwelling, and the guardian is subjected to the tax corresponding thereto. If, on the contrary, the house contains furniture belonging to the owner or lessee, it will then be considered as inhabited and the taxes collected for the whole house. Nevertheless, the owner or lessee of a house which has remained unoccupied a whole year, that is, from the 1st of January to the 31st of December of the previous year, shall be exempted from the personal tax for the current year, even when it has contained furniture, provided that the tax for the past year has been paid upon this dwelling.—(Law of June 28, 1822.)

The following are also exempted from the personal tax under the second basis:

1st. Doors and windows serving to light or air garrets, cellars, or other places which do not serve as dwellings.—(Law of June 28, 1822.)

2d. Windows in roofs or coverings.—(Idem, idem.)

The following are also exempted from the personal tax under the third basis:

1st. Fire-places, exceeding twelve in number, in each house or dwelling.—(Law of June 28, 1822, of December 29, 1831, and December 30, 1832.)

2d. Ovens for baking bread in the rural villages and in cities, when separated from dwellings or buildings; also fire-places condemned by stoppage of the chimneys to which they correspond.—(Law of June 28, 1822,)

The exemptions under the fourth basis are, furniture exposed for sale or hire in shops, magazines, workshops, or manufactories, or repositories of manufacturers, sellers, or hirers of these articles.

The exemptions under the fifth basis are:

1st. Workmen or workwomen employed in work of agriculture strictly, when they contribute household work with that in the fields.

2d. Nurses while acting in the capacity of wet nurse, and servant girls under fifteen years of age.

3d. Tutors and governesses charged with instruction and education of children; secretaries, clerks, and gardeners, provided none of them are at the same time employed in domestic service.

4th. Seamstresses, house cleaners, and others of the like, provided their work does not exceed three days per week with the same tax-payer.

5th. Servants employed by the day or by the week, living at home and serving several families or persons living by themselves.

6th. Guardians, male or female, of houses during the absence of their masters.

7th. Workmen or workwomen employed in the exercise of professions or trades, living or not with their employers, provided they are exclusively employed at their trades, and not employed at the same time in personal or household service.

8th. And, finally, all journeymen and apprentices and day laborers, who perform no domestic service, such as journeymen or apprentice carpenters, masons, painters, &c., &c.—(Law of June 28, 1822.)

The tax is not collected under the 6th basis, for horses exclusively employed for agriculture, manufactories, mills, professions or trades, without ever serving for the uses indicated for those subjected to the tax, nor for the horses of ecclesiastics in the rural villages; nor for the horses of those in military or other public service, when within the number determined by the regulations, in so far as they do not serve for other uses than those indicated in the regulations.—(Law of June 28, 1822.)

Besides the preceding exemptions, the art. 49 (which I quote entire) of the law of June 28, 1722, has the following:

In addition to the exemptions stipulated to the preceding articles, in conformity to the law of July 12, 1821, there shall be granted in villages whose population in the agglomeration of houses, or within the limits of the town, village, or hamlet, shall be more than 10,000 souls, a partial exemption of the personal tax upon the following basis, to wit:

In towns of from 10,000 *to* 25,000 *inhabitants.*—"For those occupying a dwelling or building of an annual rent or value of 42.40 francs ($8 48) and over, but below 53 francs, ($10 60,) the total amount of the tax under the 2d, 3d, and 4th bases.

"For those occupying a building or dwelling whose annual rent or value is 53 francs ($10 60) and over, but under 63.60 francs, ($12 72,) one-half of the tax under the first four bases.

"For those occupying a dwelling or building of an annual rent or value of 63.60 francs and over, but under 74.20 francs, ($14 84,) a quarter of the amount of tax under the four first bases.

In towns of 25,000 *to* 50,000 *inhabitants.*—"For those occupying a dwelling or building of an annual rent or value of 42.40 francs and over, but under 53 francs, ($10 60,) the total amount of the tax under the four first bases.

"For those occupying a dwelling or building of an annual rent or value of 53 francs and over, but under 63.60 francs, ($12 72,) the total amount of tax under the 2d, 3d, and 4th bases.

"For those occupying a dwelling or building of an annual rent or value of 63.60 francs and over, but under 74.20 francs, ($14 80,) the half of the tax under the four first bases.

"For those occupying a dwelling or building of an annual rent or value of 74.20 francs and over, but under 84.80 francs, ($16 96,) one-quarter of the taxes under the four first bases."

In towns from 50,000 *to* 75,000 *inhabitants.*—"For those occupying a dwelling or building of an annual rent or value of 42.40 francs and over, but under 63.60 francs, ($12 72,) the whole of the tax under the four first bases.

"For those occupying a dwelling or building of an annual rent or value of 63.60 francs and over, but under 74.20 francs, ($14 80,) the whole of the tax under the 2d, 3d, and 4th bases.

"For those occupying a dwelling or building of an annual rent or value of 74.20 francs and over, but under 84.80 francs, ($16 96,) one-half of the amount of the tax under the four first bases.

"For those occupying a dwelling or building of an annual rent or value of 84.80 francs and over, but under 95.40 francs, ($19 08,) one-quarter of the amount of the tax under the four first bases."

For towns over 75,000 *inhabitants.*—"For those occupying a dwelling or building of an annual rent or value of 42.40 francs and over, but under 63.60 francs, ($12 72,) the total amount of tax under the four first bases.

"For those occupying a dwelling or building of an annual rent or value of 63.60 francs and over, but under 84.80 francs, ($16 96,) the total amount of tax under the 2d, 3d, and 4th bases.

"For those occupying a house or dwelling of an annual rent or value of 84.80 francs and over, but under 95.40 francs, ($19 08,) one-half of the amount of the tax under the four first bases.

"For those occupying a dwelling or building of an annual rent or value of 95.40 francs and over, but under 106 francs, one-quarter of the amount of the tax under the four first bases."

ARTICLE 50. Those liable to taxes, to whom a partial exemption of the personal tax is accorded under the four first bases, in conformity with the preceding article, shall have the privilege of liberating themselves by purchase from the remainder of the tax.

"This purchase is fixed in such cases at 8 per cent. of the gross annual value for those who shall have obtained remission of one-half, and at 12 per cent. of the same value for those to whom shall have been accorded exemption of one-quarter of said tax."

The product of the personal tax, as it figures upon the budget of 1862, is 1,910,000 francs. To this must be added 10 centimes additional and extraordinary *centimes*, or per cent., making the whole amount 2,101,000 francs.

The number of tax-payers under this head was, in 1861, 402,115.

3. *Tax on licenses, ("Droit de Patente.")*—This tax originated in the law of May 21, 1819, when Belgium was a part of Holland. The law lays down the principle that no person can exercise in his name any profession, commerce, trade, industry, or traffic not exempted by law, without being provided with a *patent*, (or license,) and with this restriction, that every one in the exercise of his calling should conform himself to the regulations of the general and local police. The law then names the professions or callings not subjected to the *patente*, the amount of the tax, the mode of classing professions not especially designated by the law, the classification of those subject to the tax, the professions which subject each partner or associate to the tax, and those which are subjected to a single tax even when carried on by a company.

As has been seen, the bases of this tax are the professions, traffic, and trade or occupation followed. The tax varies according to the degree of importance of each of these professions in itself, and then according to the importance of the business of each tax-payer in the divers categories. The law names 495 professions or trades, divided into 15 lists, and whose classification is regulated, some with certain exceptions mentioned further on, according to two distinct tariffs.

The tariff A, applicable to all towns and villages, comprehends the professions, trades, traffic, and occupations upon the exercise of which, more or less, the population has no influence.

The tariff B, applicable to other professions and callings, varies in six different degrees according to the rank assigned to each locality.

The tariff A covers 17 classes and each of 6 series. The tariff B, 14 classes.

The most elevated tax under this license law is $84 60, and the lowest is 21 cents.

The only exception to this rule is for peddlers and foreign packmen, whose tax may amount to $160 40, (double tax of the first class of tariff A;) for joint stock companies, whose tax is fixed at 1¾ per cent. of the annual dividend; for flouring mills, or those grinding rye, barley, rapeseed, &c., whose tax, based upon the annual rent or value, is 2 to 4 per cent.; and for the undertaker *(entrepreneur)* of plays, &c., whose tax is regulated according to special bases, (price and number of places, &c.)

The general law of 21 May, 1819, has been modified—

1st. By the law of 6 April, 1823, which subjects the tax to additional *centimes*, or per cent.; reduces the tariffs A and B; exempts certain professions and trades; lowers to 1⅔ per cent. the tax on dividends of joint stock companies, which was 2 per cent.; and gives to the tribunals of correctional police attributions touching all contraventions, in respect of this tax, prosecuted in the name and by the department of receipts.

2d. By the law of 18 June, which regulates the license tax of pedlars. This law owes its origin to the extension which this species of commerce has taken within some time past, and the abuses which had crept in and given rise to urgent complaints on the part of the local traders, those subjected to charges which itinerant traders, for the most part, escaped, and who could only sustain themselves with difficulty against their rivals, who were, in part, foreigners. These complaints increased after the suppression of public vendues by the law of 24 May, 1838, and the introduction of sales by packmen in taverns, coffeehouses, and other localities.

3d. By the law of 19 November, 1842, which diminished the license tax of boatmen, and replaces, by other provisions, the list No. 16, annexed to the law of 6 April, 1823. The law of 19 November, 1842, has been itself modified by that of 28 December, 1858, which reduces by 50 per cent. the license tax of foreign and indigenous boatmen.

4th. Finally, by the law of 22 January, 1849, which exempts certain categories of workmen working alone, reduces the tax in favor of the same artizans who follow their trades with a single workman, and augments by 5 per cent., to compensate for the losses resulting from these modifications, the different taxes of tariffs A and B, with the exclusion of the three last degrees of each of these tariffs.

The same law fixes at one and two-thirds per cent. on the amount of yearly profit the tax on joint stock companies, and determines what is to be understood by "*profit.*"

Exemptions.—The professions exempted from the license tax by the law of May 21, 1819, are enumerated in article 3 of that law. The exemptions apply especially to persons attached to the service of churches, of the state, of towns, of hospitals, poor-houses, institutions of public charity, &c., &c., to lawyers, masters of post stations, (for travelling by post,) artists, painters, or engravers, &c.; under certain restrictions, to cultivators of the fields, proprietors of mines or minerals; under certain restrictions to sub-schoolmasters and sub-schoolmistresses, to servants, journeymen, workmen, and apprentices working at their master's house; to day laborers, porters, &c., &c.; to those who prepare or manufacture articles exclusively for their own use, to weavers of flax or hemp who employ not more than two looms, and finally, to a great number of small artisans, the designation of whose occupations would be too long to enumerate.

To these exemptions the law of April 6, 1823, has added the owners of stallions, and the weavers of fabrics of all kinds, when not employing more than two looms.

The law of 19 November, 1842, exempts sixteen categories of proprietors, boatmen, or commanders of vessels afloat.

Finally, as has been shown, the law of 22, 1849, frees from the license tax one hundred and forty-eight professions, when those exercise them alone, or assisted only by their wives and their children.

The law of the budget of ways and means for this fiscal year estimates the value of the product from licenses at	$730,000
But in addition is levied ten additional extraordinary *centimes*, ten per cent	73,000
	803,000

The number of taxpayers under this head, in 1861, was 286,565.

II.

1. *Registry tax.*—This tax figures in the budget of 1862 for $2,660,000. It is one of the most important sources of revenue, and the legislation concerning it is very complicated. Some general observations are therefore necessary for a clear understanding of the subject. In ordinary parlance, registry (*enregistrement*) is the inscribing upon a register any act. There are many acts for which this registry is necessary in order to give them date, or as evidence of changes in property which are made by means of such acts. There has, therefore, been instituted a public registry for acts, the recording of which might be useful to the public in general, and in the occasion of such record certain fees are levied. These fees were in the first place the compensation for a service rendered, but became later a regular tax. The levying of certain taxes upon the registry of acts is a very ancient practice, under various names. At the time of the French revolution of 1789, the registry taxes of divers natures which were levied were so numerous and different, owing to the federal regime under which they had grown up, that the court of *aides* taxes which was charged with all fiscal matters, declared in 1775 that he who wished to pay could never know what he owed, nor he who received what was due. The national assembly abolished at one blow all these taxes by the decree of 5 and 19 December, 1790, and established registry taxes of a uniform character. This decree is the starting point for the legislation of the present time, and forms the basis for it, which is little more than the same system decreed in 1790 with different combinations. After many modifications, the result of experience, this law was definitively replaced by that of 22 Frimaire, an 7, which limited and modified all anterior laws, and forms a system which has continued to this time, saving some modifications, to be mentioned in their proper place.

Nature, extent, and proportion of the registry tax.—This tax constituted at the same time a tax and a compensation. It is on this account that the levying of the tax has always appeared very advantageous and has never given rise to serious complaints. It has been thought, very properly, that as registry was useful to the proprietor, it would not be too onerous to make him pay, under this head, both a compensation and a tax to the State. This has been always recognized from the outset, especially in the preamble of the law of 9 Pluviose, an 4.

The registry taxes are divided into two great categories; the taxes of the one are *fixed*, that is, they neither augment nor diminish in amount for the same kind of acts, whatever the intrinsic value of these acts; those of the other category are *proportional*, that is, they vary in proportion to the value of these acts, or the changes of property upon which they are to be levied.—(Article 2 of the law of 19 Frimaire, an 7.

The *fixed* tax applies to acts, whether civil, judiciary, or extra judiciary, which contain neither obligation, liberation, nor condemnation, collocation or liquidation of moneys or values, nor transmission of property by entail or usufruct of real or personal property.—(Art. 3, same law.)

The *proportional* tax, on the contrary, is established for the cases excepted by the preceding article; it is based upon values.—(Art. 4 of same law.)

In other words, the *fixed* tax is levied upon the act itself, without respect to the value of the act, while the proportional tax is based upon the values or amounts which form the object of the act.

It results from this classification of the law that all acts whatsoever are subjected to a registry tax, either fixed or proportional, saving some exceptions, designated by the law itself.

Fixed taxes.—There were at the outset in the law of 22 Frimaire, an 7, and 27 Ventose, an 9, laid at from five cents to five dollars.

It would be too long to give the entire nomenclature of the papers to which the *fixed* tax applies. Suffice it to say, that by the 2d and 11th articles of the law of 31 May, 1824, and the law of December, 1832, these taxes are now, with three unimportant exceptions, at 8½ cents, 34 cents, 68 cents, $1 02, $1 69, $3 40, $5 09, and $8 48 cents, without including the 30 additional centimes or per cent., decreed and maintained each year by the law of the budget.

Proportionate taxes.—These taxes were established by the law of 22 Frimaire, an 7, and have been but slightly modified. They vary from 25 centimes (5 cents) in the 100 francs, ($20,) which is the lowest tax, to $1 in $20, or 5 per cent., which is the highest rate, not including the additional centimes which were fixed by the law of 29 December, 1842, at 30, and have since been maintained at that figure. The intermediate taxes are for each 100 francs or 20 dollars, 10 cents, 20 cents, 25 cents, 40 cents, 50 cents, and 80 cents.

By the terms of article 5 of the law of 22 Frimaire, an 7, there are no fractions of centimes (2 mills) in the payment of the proportional tax; when a fraction of a sum does not produce less than one centime of tax, the centime is nevertheless levied.

Secondly. The levying of the proportional tax is not upon the sum mentioned in the act, but according to a scale established by article 2 of the law of 27 Ventose, an 9, from 20 francs ($4) to 20 francs, inclusive, and without fraction of any kind.

Again, the *minimum* of the tax, in so far as *proportional* taxes are concerned, is as for *fixed* taxes, 8½ cents, (43 centimes.)

It is impossible to give here the different acts upon which the proportional tax is levied; they are mentioned in detail in article 69 of the law of 22 Frimaire, an 7, or in the modifications which it has undergone.

Registry of administrative acts.—A fundamental principle is, that administrative acts subject to registry are subject to the same taxes as those of individuals, saving exceptions established by law. *Acts enregistered in debit.* This consists in enregistering, but on credit, so that the tax is only paid later, when it is known from whom it is due, and if it is due.

According to article 70 of the law of 22 Frimaire, an 7, all acts and reports (*proces verbau*) of police in connexion with "repressive" police shall be registered on credit; to be collected after sentence, at the expense of the person condemned. The royal orders of 19 January, 1815, has substituted for the article 70, cited above, another mode which amounts to the same thing, in fact. The provisions of this order do not, however, concern summonses of witnesses made on the demand of the accused. Correctional or simple police matters are not to be confounded with those touching the collection of imposts and revenues of the state, which, although within the jurisdiction of the correctional tribunals, are, nevertheless, neither originated nor are prosecuted on the initiative of officers of justice, but by a branch of administration in its own interest. In such cases the registry is obligatory, and cannot be made on credit. There are several other cases where the registry is made on credit, but they are of secondary importance and their enumeration would be too long.

Acts whose registry is gratuitous.—Article 70 of the law of 22 Frimaire, an 7, the laws of 8 March, 1810, and of 17 April, 1835, and many other laws, orders, or decisions, designate cases where the registry must be gratuitous. These are especially:

Acqusitions and exchanges made by the state, the division of property between it and individuals, and all other acts made touching such subjects.

Summonses, &c., having for object the collection of taxes and all sums whatsoever due to the state, even local taxes, when a tax is of $5 and under, or taxes and dues not exceeding a total of $5.

Acts, judgments, and orders touching expropriation on account of public utility and in favor of the state, province, or town, and of individuals, under certain restrictions.

Acts being bonds or securities of public officers connected with the treasury, and for the faithful performance of their trusts; the changes in rents or consols, due by towns, and not inscribed upon the "great book" of the public debt of Belgium, when they have not been paid at the epochs specified during the last three years, which fact must be proved.

"Acts of notoriety," judgment of *homologation*, (official judgment,) certified copies and papers from registers, and documents necessary to contract marriage to a person whose indigence is satisfactorily shown, &c., &c., &c.

Acts which are exempted from registry.—The law of 22 Frimaire, an 7, and the subsequent laws and divisions, mention acts exempted from the formality of registry. No exemptions are permitted other than those formally indicated, nor can any exemption be permitted by analogy or by extension.

The following are more particularly exempted:

The acts of the legislative bodies and of the government.

The acts of public administrations not comprised in articles 68 and 69 of the law of the 22 Frimaire, an 7.

Acts giving promise of fidelity to the constitution by different public functionaries, &c.

Oaths taken, even on taking office, of ministers, councellors of courts, judges, attorney general, and other magistrates, of justices, governors, commissaries of districts, deputies of the provincial bodies, burgomasters, echevins, (aldermen,) commissaries of police, officers of the army and of the militia, (*garde civigne,*) professors of universities, and members of the jury of examination, and, finally, officers of police at railroad stations.

Deliberations touching nomination by the villages for rural police, (*gardes champetres.*)

The specifications drawn up by the engineer of roads and bridges for proposals for works upon the public roads.

Reports which are known in the marine under the name of *potils rapports.*

Sales of sea fish publicly made in the markets.

Copies of royal orders and deliberations of consultative bodies authorizing the administration of villages, hospitals, and other public establishments to sell their property, or to alienate or hypothecate it.

Inscriptions upon the great book of the public debt, their transfer and *mutations*, (changes,) receipts for interest paid upon them, and all obligations of the public debt inscribed or to be inscribed definitely.

Inscriptions, orders, and drafts upon the national treasury or its branches, their indorsements or receipts.

Receipts for taxes, dues, debts, and revenue paid to the state; those for local charges; those of functionaries and employers' salaries by the treasury, in so far as they concern their salaries and emoluments.

Orders for discharge or reduction, abatement, or remission of taxes, the receipts relative thereto, lists, copies, &c., of the same character.

Receipts delivered to the collector and receiver of the public revenues and of local taxes, and the accounts of receipts or of public administration.

Certificates of birth, interment, and marriage received by civil officers, and certified copies of the same made and delivered.

All acts, reports, and judgments concerning general police or that of public safety, &c.

Cedules, memorandums for appeal to the bureau of conciliation, except the tax for summons.

The legalizations of signatures of public officers, the affirmations to reports of employés, guards, and agents salaried by the state, made in the exercise of their functions.

Engagements, enlistments, &c., in the army or navy, and all other acts of either of those departments not included in the foregoing articles.

Passports delivered by the public authorities; bills of exchange drawn from one place on another, those coming from foreign countries; indorsements and receipts of the same, and bills or notes to order, or other negociable paper; *cedules* (memorandums) to cite persons either before the justice of peace, or the bureau of conciliation.

Acts, other than notarial, having solely for object the liquidation of the public debt, and in so far as they serve for the operations of liquidation, as well as the acts of liquidating administrations, and agents relative to the same; acts of *recourse in copation* (appeal) in criminal matters; the deliberations of the chambers of notaries, and the documents relative to the same.

Reports of sales made by the *monts de pieté* and public pawnbrokers' establishments, and all acts relative thereto; acts and reports relative to criminal procedures, and those of *correctional,* or in simple police.

Certificates of life, or of deliverance to debtors on the *rentes,* or pensioners of the State; receipts of furnishers; workmen; masters of schools, and others of the same nature, produced by an accounting officer as vouchers.

Certificates to be produced in order to be exempted from service in the militia; expenses given in the current accounts of merchants; bills, receipts, obligations, certificates, or bonds resulting from loans opened for account of foreign powers or foreigners.

All claims, acts and powers in appeal, in electoral matters.

Acts, judgments and other documents relative to prosecutions suits before the council of prudhommes (council of masters and workmen) solely.

2. Next in order, in this category, comes the *tax on mortgages,* ("*Droit sur hypotheques.*")

The amount of tax collected under this head, according to the budget for this year is, including the 25 per cent. additional, $485,000.

Mortgages, or *hypotheques,* are liens upon real estate in security for the payment of obligations, or the guarantee for the due payment of a service, assuring the creditor, in whose favor they are, a preference upon the price of the property.—(See Art. 2092 to 2095, and 2114 of the *Code* Civil, and the law of 16 December, 1851, touching the revision of the mortgage system.) As a general rule, these privileges or mortgages do not have effect, save in so far as they are made public.—(Art. 2106 to 2113, and 2134 to 2145 of Code Civil, law of 15 September, 1807; of 15 May, 1846, and of 16 December, 1851.)

From this principle, that they have effect only in so far as they are made public, is derived what is called the *conservation* (registration) of mortgages, and to this end, a public officer, called "conservator (registrar) of mortgages" is employed, charged with the duty of inscribing upon a special register mortgages, preferency, or liens; to transcribe upon another register acts of transmission of property; to erase, when there is occasion, existing "inscriptions," (entries;) to deliver copies of acts inscribed upon the registers, and of encumbrances upon properties; and finally, to give certificates in case of property being unencumbered, that no encumberance exists.

These divers acts of the conservator (registrar) of mortgages give rise to certain fees which are levied as they are performed in favor of the treasury and of the conservator. The fees in favor of the treasury are proportionate; those which the law allows to the conservator are fixed, and are the emoluments of his office paid to him by the parties interested.

The establishment of this tax dates back to the origin of mortgages, which is very ancient. The legislation touching this subject has often varied. The laws which now form the bases of the tax are still those of 9 and 21 Ventose, an 7.

Article 19 of this law provides that, in conformity to the law of Vendemaire, an 6, a tax shall be levied upon the inscription (entry) of mortgages, and upon the *transcription* (registry) of acts containing sales or transfer of real estate, and after this the law has one chapter devoted to the tax on *inscription*, and another to the tax on *transcription*.

Tax on Inscription, (recording of mortgages.)—This tax is laid in article 20 of the law of 21 Ventose, an 7, at one-tenth per cent. upon the capital of the debts due posterior to the promulgation of the law of 11 Brumaire preceding.

This tax, at first modified by the law of 6 Messidor, an 7, was re-established by the law of 3d January, 1824, the first article of which says: "The tax on registry of mortgages, and the renewal of the same, is fixed for all debts, whatever their date, at one florin (forty cents) for one thousand florins of the amount of the debt." To this is to be added, however, the twenty-five per cent. or *centimes* additional, provided for by the law of the budget, The law provides that the proportional fees or tax of registry of *greffe*, (clerks,) and of mortgages, shall be from twenty florins (four dollars) to twenty francs, inclusively, and without fractions.

The tax is to be paid upon the amount of every mortgage debt whose inscription is required in order to secure its preservation, excepting in the cases provided for by law. Article 21 of the law 21 Ventose, an 7, provides that there shall be paid but a single tax on *inscription* (entry) for each debt, whatever may be the number of creditors or debtors. Article 22 of the same law provides that if there is record of the same mortgage in several bureaus the whole tax shall be collected in the first bureau, and in the other bureaus for each of the other inscriptions, (entries.) No other fee shall be levied than for the service of the clerk.

By the law of 6 Messidor, an 7, inscriptions of an indefinite character are not subjected to the tax.

There are still other provisions touching the tax on mortgages, but they are too extended for mention here.

Tax on transcription or registry of deeds or acts of sale, transfer, or change in real estate.—This tax, in the first place, was fixed by the law of 9 Vendemaire, an 6, at one and one-half per cent. upon the amount of the transaction, and was maintained by the law of 21 Ventose, an 7, article 25, which is as follows:

"The tax upon the transcription of acts bearing changes in real estate shall be one and one-half per cent. of the amount of the same, in accordance with the settlement at the registry."

In other words, the sum which has served as a basis for levying the tax for *inscription* serves equally as a basis for collecting the tax for *transcription*. The provisions of article 25 have been considerably modified in other respects. In the first place, under the law of 21 Ventose, an 7, the *transcription* of sales or transfers of real estate was optional; the law of 3 January, 1824, has made it obligatory for all changes in real property. This law was perfected by that of 18 December, 1851, article 30. Article 2 of the law of 3 January, 1824, had reduced the tax on *transcriptions*, recording deeds, &c., one-half per cent., but by a law of 30 March, 1841, it was raised to one per cent., independently of the additional *centimes* which the budget fixes now at twenty-five per cent. The tax on *transcription*, like that on *inscription*, is upon sums of four dollars to four dollars, inclusively, without fractions.

The law has still some further provisions, which are of but secondary importance, relative to the tax on *transcriptions*. It designates also those few *transcriptions* which are gratuitous, save payment of the stamp and the clerk's fees, as well as some few upon which, exceptionally, a fixed tax is levied; finally, it fixes the fees to be paid the conservator for his services.

3. *Greffe*, (clerk's office.)—The product of this tax according to the budget of 1862, is $50,000.

By *greffe* is understood a public office where are preserved for reference, if desired, the minutes, registers, and other acts of a jurisdiction.

The *greffier* (clerk) who has charge of this office is, moreover, required to draw up and to record acts relative to the jurisdiction, to give certified copies when desired, and to receive certain declarations which the law provides for and authorizes.

These divers operations give rise to expenses which are called *droits de greffe*, (clerk's fees.) These fees are, in fact, a tax, and are paid into the treasury after deducting a part which the law allows for the perquisites of the *greffier*, (clerk,) in addition to his salary. Like many other fees, these, under the old regime, formed part of the revenue of the crown. They became a branch of the public revenue of the state after the French revolution. They were soon after suppressed by the laws of 5 and 19 December, 1790, and 21 December.

A law of 21 Ventose, an 7, re-established this tax in favor of the state in all civil and commercial tribunals, and it is at this day the basis for its collection. The law of 22 Prairial, an 7, regulated this tax in the event of voluntary sale or voluntary expropriation. A decree of 12 July, 1808, made a new classification of the *droits de greffe*, of those of drawing up papers, or recording, which were to be levied on the basis laid down in the two laws before cited, viz: of 21 Ventose and 22 Prairial, an 7.

This tax, which is upon acts emanating from or in the jurisdiction of the civil and commercial tribunals, is not levied upon acts in connexion with the criminal, correctional, or police tribunals, the fees for which, established by law of 18 June, 1811, are solely the remuneration of the clerks of the court.

There are three kinds of *droits de greffe*, (clerk's fees,) properly so-called, that is, of commercial or civil attributions, to wit, the enrolling, *(droit de mise an role,)* the drawing up and recording, *(droit de reduction et de transcription,)* and the copying, *(droit d'expedition.)*

Enrolling fees.—These are levied when inscribed upon the rolls of each cause, as is provided in the law of 21 Ventose, article 3, as follows: The fees for enrolling are, the dues for forming and keeping the rolls, and the inscribing of each cause upon the roll to which it belongs. This fee shall be in the civil tribunals 5 francs, ($1,) on appeals from the civil and commercial tribunals; three francs, (60 cents,) for cases in first resort or on appeal from justice of the peace; and one and a half franc, (30 cents,) for summary or provisory cases—in the tribunal of commerce this shall be also one and a half franc; the whole without prejudice to the fees of the sheriff, (hussier,) which shall be 25 centimes, (5 cents,) for each cause entered on the docket. The fee for enrolment can only be collected once; in case of taking from the docket it shall be replaced gratuitously at the end of the rolls, and mention of the same shall be made; the use of *placets* to call cases is prohibited; they can only be called from the rolls, and in the order of inscription.

In fixing the tariff of this tax the preceding provisions are confirmed with the laws of 31 March, 1824, 30 December, 1833, and 29 December, 1842. The first provides that the fees, fines, stamp, registry, record, or *de greffe*, whose amount is named in francs or livres by existing laws, shall be at 50 centimes (10 cents) for every franc or livre, and so in proportion for less sums; and the second provides that until otherwise provided a florin of Holland shall, when it appears in the laws bearing relation to these taxes, be considered of two francs each, with 6 per cent. additional for monetary difference; and the last of the above named laws provides that the additional centimes or increased per cent. shall be 30 instead of 26.

Tax for drawing up and recording.—This tax is applied to acts named in the code of civil procedure and the *code civil.* To avoid all misapprehension as to these acts a decree of 12 July, 1808, enumerates them. According to this decree they are either *proportional* or *fixed*, and the amount of tax varies according to their character, and is modified by the laws of 31 May, 1824, of 30 December, 1832, and 29 December, 1842. As was shown with respect to the tax on the *roll* or docket, the law afterwards indicates in what cases *proportional*, and in what *fixed* dues are to be levied.

Tax for drafting papers.—The tax for drafting judgments and all other acts made and deposited at the *greffe*, (clerk's office,) established by the law of 21 Ventose, an 7, was maintained by article 5 of the decree of 12 July, 1808.

The taxes for copies are of three kinds: 40 cents, 25 cents, and 20 cents per *roll*, according to the nature of the act; but, as was said further back, these have been modified by the laws of 31 May, 1824, of 30 December, 1832, and 29 December, 1842. *Clerk's fees*, (droits de greffe,) *of the Court of Capation, droits de greffe*, are not levied by the Court of Capation in civil affairs in virtue of the law of 21 Ventose, an 7, but by an anterior regulation of 12 September, 1739. The law further determines affairs exempted from this tax as well as the emoluments of the clerks of the courts, but the detail is unnecessary here.

4. *Inheritances.*—The amount of this tax appears by the budget for this year to be $2,080,000.

The tax upon the transmission of real and personal property is a very ancient one. In the early Roman law it was one-twentieth or 5 per cent. of the value of every testimentary inheritance which did not come from a near relative. This was afterwards increased to 10 per cent., and reduced again to 5 per cent. under the Emperor Constantine. In the middle ages the feudal seigneurs claimed at the death of their vassals dues of the same character, which varied according to localities, and was originally $\frac{1}{000}$ part or 1 per cent. of the inheritance. Another tax, under the title of inventory or division dues, was also collected upon successions in direct line.

After the French revolution the law of 15th and 19th December, 1790, laid down, in the first place, the principle totally different from the bases of previous legislation on the subject, inasmuch as the whole social basis was changed, that every *transmutation* of property, real or personal, whether by testament or by deed, should be subjected to registry, and on account of this formality a tax should be levied, the amount of which should vary according to the nature of the acts and the object of the transmission.

The law of 15 and 19 December, 1790, is purely fiscal, reaching all real and personal property every time it changes hands, by death or otherwise. It was successively modified by the laws of 14 Thermidor, an 4; 9 Ventose, an 6; 11 Brumaire, an 7; and finally, by that of 22 Frimaire, an 7, which definitely replaces all anterior legislation on the subject, and is the same law previously cited as providing for the taxes on registry, &c. All its provisions, however, relative to the tax on successions have been abrogated and replaced in Belgium by the law of 27 December, 1817, and that of 17 December, 1851; outline of the law of 27 December, 1817. To the taxes on changes of property caused by decrease, "*mutations par décès*," an expression which, in the law of 22 Frimaire, an 7, embraces all inheritances indiscriminately, the law of 27 December, 1817, has established two new expressions, which must not be confounded: 1st, it establishes a tax on inheritances; and 2d, a tax on "*mutations par décès*," or changes of property caused by death.—(Article 1.) All this is received or acquired by inheritance of any person residing in the kingdom, is subjected to the tax on inheritances. The value of real estate situate in the kingdom, received or acquired in possession or usufruct by the death of any person not reputed an inhabitant, (that is, who has his domicile or place of business in another country,) is subjected to the tax on "*mutations par décès*." These two taxes are regulated upon different bases.

The most characteristic feature of the law of 27th December, 1817, is, that it exempts from the inheritance tax successions in direct line, but the exemption is not given in case of mutations.

A similar exemption is granted to all that is received or acquired by husband or wife leaving one or two children born from their marriage, or from their descendants, or usufruct by the surviving husband or wife, or pension or periodical payment, if by the decease of the testator the children, issue of a former marriage, or their descendants, have acquired the property or are charged with the pension or periodical stipend.—(Article 24.)

These provisions, it will be seen further on, have been modified by the law of 17 December, 1851, which levies the tax upon inheritance in direct line, or between husband and wife.

Succession in direct line.—According to the law of 17 December, 1851, "There shall be levied a *mutation* tax, to be paid by the inheritors, legatees, or those receiving in free gift, who succeed in direct line, ascending or descending, from an inhabitant of the kingdom; and in the cases provided by Nos. 2 and 3 of article 24 of the law of 27 December, 1817, to be paid by the surviving husband or wife."—(Article 1.)

"This tax shall be levied exclusively upon the value of the real estate situate in the kingdom, and the *rentes* and dues hypothecated on real estate in Belgium, deduction being made of the mortgages encumbering the property subjected to the tax."—(Article 2.)

Articles 3 provides for the measures to be adopted for the valuation of real estate.

Article 4. The tax is fixed at one per cent. upon what is inherited in possession, and one-half if in usufruct only.

Article 5. Exempts inheritances when the portion for each heir or legatee or of the surviving husband or wife does not exceed, after deducting debts, $200.

Inheritances by an adopted child or his descendants.—Before the law of 17 December, 1851, inheritances received by adopted children or their descendants were exempted from all tax. Adoption was a means of eluding the tax on inheritances, those adopted being, by a fiction of the civil law, assimilated to legitimate children who were exempted. In re-establishing the tax on successions in direct line in the law of 1851 this omission was corrected.

Article 6 of this law provides that the tax on successions and that of *mutations* shall be respectively levied, according to the bases established by the law of 27 December, 1817, and by the present law, upon the total value of all that may be received or acquired by the adopted child or his descendants in the inheritances from him; and by article 9 of the same law the tax to be paid by the adopted child or his descendants is fixed at 6 per cent., if an inhabitant of the kingdom.

Such successions are exempt from tax if the total amount, after deducting debts, does not exceed $127.—(Article 6, law of 17 December, 1851, and article 24, law of 27 December, 1817.)

Inheritances from husband or wife.—Article 17 of the law of 27 December, 1819, provides that on inheritances from husband or wife the tax shall be four per cent., saving exceptions established by article 24, which have in turn been replaced by a graduated tax of from one-half to one per cent.; one-half, or two per cent., is paid for property inherited in entail.

The law of 17 December has also introduced two new provisions, which are contained in article 7, as follows: "The surviving spouse who is not subject by marriage contract to the regulations touching donations, and to whom is given *aliatonement*, more than one-half of the common fortune shall be assimilated in the collection of the taxes upon inheritances and *mutations par décès* to the surviving spouse, who, in the absence of a derogation or equal division of the common property, receives the whole or part of the portion of the spouse, in virtue of a gift or testamentary provision.

"The husband or his heir shall be equally reputed in the collection of the tax as having received, in free gift, the portion which they gain by the renunciation, of the wife or her heirs, of the property existing at the dissolution of the marriage."

An exemption is granted of the taxes laid down in article 17 of the law of 27 December, 1817, if the total value of the inheritance, after deducting the debts, does not exceed $127.

Exemption of the tax of one-half and of one per cent., established by the law of 17 December, 1851, is also given, when the share of the surviving husband or wife does not exceed $200 after deduction of debts.

Inheritance in collateral line, or where there is no relationship.—By the terms of article 17 of the law of 27 December, 1817, the following tax shall be levied on property inherited or acquired in collateral line, or where there is no relationship: Four per cent., between brothers and sisters, on what would have been acquired *ab intestat,* and ten per cent. upon all above that; six per cent., between nephew or niece, or grand nephew or niece, between uncle or aunt, grand uncle or aunt, upon what would have been legally inherited, and ten per cent. on all inherited above that; between all other relatives or persons ten per cent. One-half of this tax only is levied when the property is left in *usufruct.*

All these provisions are still in vigor, save that article 9 of the law of 17 December, 1851, provides that the tax on inheritances between brother and sister shall be five per cent. upon the part which legally would come without testament, the ten per cent. on the surplus being maintained.

Inheritances by natural children.—By the terms of article 10, of the same law, "Where natural children, in default of other relatives, heirs at law, inherit an estate, they shall be considered, for the application of the law upon the taxes on inheritances, as relations of the twelfth degree." The only inheritance of any kind whatsoever in Belgium not subjected to tax are those, the total value of which, reduction made of debts, does not exceed $127.

Tax on inheritances of missing persons.—The law of 27 December, 1817, was only applicable to estates in probate by decease legally *authenticated.* Property left by missing persons could, therefore, be inherited without being subject to tax.

This omission was supplied by the law of 17 December, 1851, which (article 6) provides that the provisions of the first law shall equally apply to the estates of missing persons, and that the tax shall be levied upon their value in accordance with the bases established by these two laws, if the heirs have been in possession in any form; and the taxes previously collected shall be refunded if the demand is made within two years after the day when the existence of the missing person shall have been legally proved.—(Article 8.)

Inheritances by public establishments, (demortmain.)—The law of 27 December, 1817, lays a tax of ten per cent. upon legacies made in favor of hospitals, seminaries, clerical institutions, and others, designated as *de main morte.*

Exception is only made in the case already mentioned, when the net amount is not over $127.

The law provides for the proceedings to be observed in the declaration and valuation of estates; also touching the debts and dues of the estates, and provides also against frauds.

Tax on mutations.—This tax is upon property situate in the kingdom, inherited or acquired, in fee or entail, by the death of a person not reported to be an inhabitant. This class of inheritance, as has been before remarked, has a distinct basis of taxation. By the terms of article 17 of the law of 17 December, 1817, one per cent., if in fee, and half per cent., if in entail, is to be paid for inheritances in right line; five per cent., if in fee, and two and a half per cent., if in entail, for inheritances in collateral line, or persons of no legal relationship. Article 9 of the law of 17 December, 1851, lays the tax at 5 per cent. for an adopted child or descendant of the same. There are no exceptions to this tax.

III.

1st. *Customs.*—Under this head falls, 1st, the duties on imports and exports, (goods in transit are exempted;) and, 2d, the tonnage dues. The duties on imports and exports are laid in accordance with article 4 of the general law on customs of 26 August, 1822, upon all articles, goods, and provisions, except those specially exempted by law whenever exported or imported. The tariff has been frequently modified, and quite lately by the treaty concluded with France 1st May, 1861. The exemptions are either in the tariff itself, or in a special law, of which the principal is:

1st. Article 5 of the general law of 26 August, 1822, which exempts from duties munitions of war, provisions, &c., necessary to the maintenance of the army; articles belonging to ambassadors or ministers near to or of foreign powers; horses and carriages employed to journey to or from foreign countries, and baggage of travellers containing personal clothing, when they are not new, and cannot be considered as articles of commerce.

2d. The law of 8 August, 1835, which authorizes the government to grant exemptions of duties on entry for specified articles belonging to foreigners who come to reside in Belgium, or to Belgians returning home after residence in a foreign country, &c., &c.

3d. Article 40 of the law of 4 March, 1846.

By virtue of this article government can permit, under bond or security given, the temporary removal from the public storehouses of goods destined to be improved by manufacturing process in the kingdom.

The average of duties is about 10 per cent. and costs, as before remarked, about 30 per cent. for the collection.

The total amount of duties on imports is estimated for 1862 at $3,068,000, and on exports at $5,000, or together $3,073,000.

Tonnage dues.—Chapter 25 of the general law of 26 August, 1822, regulates this tax. Vessels subjected to this tax are divided into three classes:

1st. All seagoing vessels under Belgian flag to one sole tax of nineteen cents per ton at their first entry, or going out of a Belgian port each year from the 1st January to 31st December, inclusive. They are exempt on all subsequent voyages.

2d. All seagoing vessels under foreign flag, belonging to the inhabitants of a country, kingdom, or port where Belgian ships are not subjected to more elevated or other dues than are their inhabitants. This tax is collected on vessels on their first entry or clearance on the same rate and footing as those of first class.

3d. All seagoing vessels not in the foregoing class. The tax for these is forty-seven and a half cents per ton on every entry, and can eventually be raised by the government.

Exemptions.—The law exempts from tonnage tax—1st. Belgian vessels solely employed in fishing, whether coastwise or at sea. 2d. Belgian vessels going out loaded solely with pig iron or coal, and returning without cargo. 3d. Vessels entering by stress of weather or for orders, or for wintering, where cargo is not broken, and none taken, and where the intention of the captain or owner was not to break cargo. 4th. Pilot boats, or vessels serving solely for pilotage.

The law also provides for the restitution of the tonnage tax on Belgian vessels which have paid the tax at the entry or clearance, but have not, during the year, visited a foreign port.

The estimate of this source of revenue for this year in the budget is $170,000; but it is proposed, if the capitalization of the Scheldt dues is carried out, to renounce this tax in so far as it reaches foreign shipping.

2d. *Excise.*—Excise is levied upon salt, foreign wines, spirits, Belgian and foreign, beer and vinegar, cane and beet-root sugar, syrups, (glucoses,) and others, not crystalizable sugars. The excise on salt, and foreign wines and spirits, differs from a customs duty, in the fact that, while the latter is paid on the entry of the article, and before consumption, the former need not be immediately collected, credit being permitted on the payments of the former.

Salt—Basis and amount of tax.—The excise on common salt is fixed at $3 40 the one hundred kilos, (two hundred weight.)—(Law of 5 January, 1844, articles 1 and 2.) Refined salt is not subjected to excise, and pays a customs duty of $8 14 the two hundred weight. By the treaty of 1st May, 1861, with France, a diminution of excise of $1 40 is accorded on common sea salt of French manufacture, imported directly by sea under the French or Belgian flag.

Salt water, marking by the Reámur aréomèter one degree and under to three degrees, pays per hectolitre (twenty-three gallons) from one degree, inclusive, to two degrees, two cents; from two degrees, inclusive, to three degrees, four cents.

Salt water marking more than three degrees is regarded as *saumure,* (brine,) and taxed according to its density, at sixty-six pounds per hectolitre (twenty-three gallons) of saumure, when at twenty-five degrees of Reámur's aréomèter, and in accordance with this basis for inferior degrees of density.

Exemptions—Exemption of excise is accorded for common salt, English salt, and refined French salt, destined for cattle, for the improvement of land, fabrication of fertilizing substances, and the salting of fish derived from Belgian fisheries. It is reduced to four cents the hundred weight for common salt, employed in the manufacture of sulphate of soda.

Drawback.—A drawback of $1 90 the hundred weight is given on refined salt exported in quantities of not less than twenty-five tons.

Product.—The product of the excise on salt, according to the budget of 1862, is $1,020,000. There were, in 1859, two hundred and forty-two salt refineries.

Foreign wines—Basis of the tax.—The excise on foreign wines, established by laws of 27 July, 1822, and 24 December, 1829, was fixed at $6 60 the hectolitre, (twenty-three gallons,) by the law of 24 December, 1853. This law suppressed, at the same time, the additional *centimes,* as well as the stamp duty upon the bills. The law of 18 July, 1860, which abolished the communall *octrois,* raised the excise to $8 50 the hectolitre.

Under the treaty of 1st May, 1861, with France, the duty is reduced for wines of French origin to $5 50, after 1 July, 1861; to $5 after 1 January, 1862; to $4 50 after 1st July, 1862. Liquors containing more than 21 per cent. to the one hundred degrees are not considered as wines.

By provision of the law of 12 May, 1819, articles 9 and 11, a reduction of the excise can be accorded for the loss of wine when imported in casks. Independently of the excise, foreign wines are subjected to a customs duty, varying from ten cents to forty-eight.

The product of this impost, according to the budget for 1862, is $569,000.

Domestic spirits.—The law of 27 June, 1842, modified by those of 5 March, 1850, of 20 December, 1851, of 9 June, 1853, and 18 July, 1860, provides for and regulates this impost.

Basis.—All the vessels employed in distilling which contain *mash,* fermented or fermenting liquors, are subjected to the excise, with the exception of distillers' alembics or coils employed for distilling or rectifying, of condensers of less than three hectolitres (about twenty-three gallons) capacity, consisting of tubes, &c., in which the liquid cannot remain.

Amount.—The amount of excise is fixed for each day's work, irrespective of the nature of the substance, at forty-nine cents the hectolitre of gross capacity of the vessels above indicated, except in the case of distilling dried fruits, molasses, syrups, or sugar, when it is seventy-seven cents, which amounts to the same upon the product in alcohol.

This tax is on the basis of one renewal per twenty-four hours of substances to be distilled, counting from midnight to midnight, exclusive of Sundays and fête days, if no work for distilling or fermenting is carried on. The distiller who works more rapidly is obliged to pay a supplementary tax proportioned to the increase of work.

Distilling from seed and stone fruits.—The preceding provisions are not applicable to distillers of alcohol from seed or stone fruits, which pay an excise of 37 cents the hectolitre. The excise is calculated upon the quantity of mashed or fermented matter, according to the gross capacity of the vessels employed. If, however, the gross contents of the alembics, multiplied by the number of boilings, shows a quantity superior to that of the mashed or fermented substances, the charge is augmented in proportion.

Rectifiers are exempted from excise.

Agricultural distillers.—A deduction of 15 per cent. on the excise is accorded in the following cases:

1st. When only two sets of utensils are employed; the one serving solely for the boiling, the other solely for the rectification of flegmes, and not exceeding in total capacity 20 hectolitres per 24 hours.

2d. When at least one head of cattle (excepting horses) for each hectolitre and a half of capacity of the vessels subjected to an excise is fed in the yard of the distillery.

3d. When the distiller cultivates for himself within the distance of 5 kilometres, (of 4,971 furlongs,) or about (3 miles) at furthest from the distillery 1 hectare (2½ acres) of land for each hectolitre and a half of capacity of vessels subjected to excise. Moreover, distillers interested, directly or indirectly, in one or more distilleries have no right to the deduction of 15 per cent. if their establishments are distant more than 5 kilometres (3 miles) from each other. By the terms of paragraph 203, article 14, of the law, "the employment of vessels called *mashers*, or other vessels, utensils, or processes newly introduced, can be authorized by the minister of finance on conditions which he shall determine."

By virtue of this provision different regulations have been presented by the minister.

1st. To authorize the employment of the *mashers* with exemption of tax, (28 July, 1854;) 2d, to regulate distillery (*a*) of beet root juice, (*c*) of *cosittes*, of beet root, (*c*) of raw sugar and molasses, (arrêté.)—(Decree of 4 August, 1858, of 23 June, 1859, of 12 February, 1859, and of 5 May, 1855.)

Drawback.—A drawback of $7, equal to the amount of the excise, per hectolitre (about 23 gallons) of spirits of 50 per cent., according to the alcoholater of Gay Lussac; and on a minimum of 10 hectolitres is given on exhalations or deficit in public stores, and a proportionate amount on qualities of inferior or superior strength. This drawback, however, is not allowed to distillers of seed or stone fruit, or to those who have profited by the reduction of 15 per cent. above indicated. In case of forced interruption of his works the distiller is not liable to the excise.

Produce.—The product of this impost for 1862 is placed at $1,812,000 in the budget for this year.

There are 470 distillers in Belgium, one of which only is for seed and stone fruit.

Foreign spirits—Basis and amount of tax.—In conformity with the law of 5 January, 1840, modified by that of 18 July, 1860, alcoholic liquids distilled in foreign countries are subjected to an excise, which is due on importation, and is as follows: (*a*) upon spirits, rum, arrack, and all alcoholic liquids unmixed with substances which change the degree of strength, $11 80 per hectolitre of 50° or under of the alchometre of Gay Lussac, at the temperature of 15° centigrade; (*b*) above 50 per cent., at 23½ cents per degree and per hectolitre; (*c*) upon cordials, liqueurs, without distinction of degree, $12 per hectolitre; the fractions below five-tenths of a degree are not counted; above five-tenths they count as a degree.

For distilled liquors of foreign origin the excise is suppressed and replaced by customs duties. This modification was introduced by the treaty of 1st May, 1861, with France. In addition to the excise, distilled liquors pay a customs duty of from $1 45 to $2 40 per hectolitre. The excise on foreign spirits figures in the budget for 1862 at $31,000. The product of the customs duty on foreign spirits and distilled liquors was $9,000.

Beer and vinegar—Basis of amount of tax.—The excise on beer brewed in the kingdom is fixed by the law of 2d August, 1822, modified by those of 20 December, 1851, and 18 July, 1860, at 80 cents per hectolitre of the contents of the vessels in which the malt is brewed, and for each time they are employed. This applies equally to beer destined for vinegar.

By the taxable capacity of brewing vessels is understood their gross capacity, after deducting for the space occupied by false bottoms, pumps, and mixers placed therein, and generally employed by brewers for manipulating the substances placed therein.

The time for the duration of the work, and that necessary for lighting the fire under the boilers before commencing, is regulated by a tariff annexed to the law.

A drawback of 50 cents the hectolitre for beer of good quality is allowed on exportation, the minimum quantity being 5 hectolitres for beer in cask, and 2 hectolitres for beer in bottles.—(Royal decrees of 17 September, 1846, and 24 December, 1861.)

Vinegar.—Vinegar manufacturers are of three classes, according to the substance employed for making it.—(Article 23 of law of 2 August, 1822.) The first class comprises those making it from beer, or prepared from substances, and in vessels employed for its manufacture, whether purchased from a brewer or prepared for them only, whether in their own brewery or one hired. The second class are those who manufacture their vinegar with a substance commonly called *way*, which is procured by means of the maceration and fermentation of moutine or flour. The third class includes all manufacturers of vinegar made from other substances than the above. Those, however, making vinegar from apple or pear juice are not subjected to any restriction. Articles 24, 25, and 27 of the law of 2 August, 1822, determine the conditions to be fulfilled by vinegar makers of the first class, to obtain, first, credit for the excise upon the beer employed in the manufacture, (article 25;) second, a deduction of ten per cent. on the amount of the excise, (article 26;) and third, a prolongation of credit, (article 49.) The manufacturer who does not fulfil the conditions of these articles, and therefore has not obtained the privileges indicated, is not subjected to any special tax for the conversion of beer into vinegar, but he is prohibited from drawback on exporting it, or placing it in public store, or to deliver it to another manufacturer or merchant with the right of remission of the excise.

The tax on vinegars made by manufacturers of the second class is at the same rate, and levied in the same manner as upon beer, viz: according to the capacity of the boilers, &c., which the manufacturer employs, ten per cent. being deducted from the same.—(Article 30 of law of 2 August, 1822.)

Under the provisions of article 44 of law of 2 August, 1822, the government, by decree of 30 December, 1841, regulated the bases for the tax on vinegar manufacturers of third class, and subjects to taxation all the vessels whatsoever employed in the preparation or acidulation of substances to be converted into vinegar; 18 per cent. reduction can be accorded to this class.

The excise upon vinegar is the same as upon beer. The law of 7 February, 1844, exempts from all tax vinegar manufacturers of the third class who employ substances already subjected to excise.

Fifty cents drawback per hectolitre is granted on exportation or deposit in public store on a minimum quantity of 40 hectolitres.

The product of the tax on beer and vinegar is estimated in the budget for 1862 at 2,712,000 francs.

There were, in 1861, 2,689 brewers in Belgium.

Raw cane and beet-root sugar.—Under the law of 12 July, 1821, foreign sugar only was subjected to duty; the law of 4 April, 1843, for the first time subjected domestic beet-root sugar to tax. Under the treaty of 1861 with France cane and beet-root sugar are subjected to a uniform excise tax of $9 the 200 pounds. Independently of this, raw sugars pay on importation a duty of 24 cents the two hundred weight.

The minimum of the quarterly receipts for sugar excise is fixed by article 2 of law of 27 May, 1861, at $300,000. When the mean of the consumption of three consecutive years, counting from the 1st of July of one year to June 30 of the following, inclusive, is superior to 336,200 hundred weight the minimum of $300,000 is increased by 10,000 francs for every 10,000 hundred weight excess.

At the expiration of the first six months of every year this average is given by royal decree, taking for basis on the one hand, the difference between the quantities of raw sugars declared for consumption, (deduction being made of three per cent. for waste and refining,) and on the other hand, the quantity of sugar exported, or deposited for exportation in public store, with discharge of excise tax. This decree fixes the amount of the *minimum* to be collected from and after the 1st of July of the current year to the 30th of June following.—(Law of 18 July, 1760, article 10.)

The importation of refined sugar is also included in the calculation. A drawback is allowed to those declaring themselves to be manufacturers or refiners of from four and a half to six dollars per hundred weight, according to kind and quality, the minimum being from two hundred weight to four hundred weight, according to kind and quality. It is also given, but on a minimum quantity of ten hundred weight, for sugars declared for exportation and deposited in the public stores.

The product of the excise on sugar is estimated for 1862 at $1,200,000. There were in 1861 sixty-eight manufacturers of beet-root sugar, and fifty-four sugar refiners.

Refined sugars are not subjected to excise, but pay a duty of importation of 11.40 francs per hundred weight for other than French sugars, which pay six francs per hundred weight.

IV.

Under this head are included sources of revenue, which are, in fact, the payment for services rendered by the state. The state has constructed railroads and telegraph lines, which are still in its hands, and are carried on by its officers. The revenues from these lines consequently go into the public treasury. The state also derives revenue from the tolls collected upon the roads, canals, and navigable waters which it keeps up. The post office also is a source of revenue.

The control or guarantee of assay, and stamp of gold and silver articles for the protection of purchasers, the coining of money, the fees for pilots and for light-houses, and other receipts from public establishments, such as prisons, hospitals, &c., are among the items under this head.

The estimated returns of them for the year 1862 are as follows:

Railroads and telegraphs	$5,900,000
Tolls on turnpikes, canals, and rivers	920,000
Post office	600,000
Guarantee of gold and silver articles	48,000
Mint profit on copper and nickel coins, &c	60,000
Other divers receipts given above	500,000
	8,028,000

Stamps.—The stamp or "timbre" has not been included in any of the above categories, and merits especial mention. Like the registry and real estate tax, it owes its origin to the French *regime.* It consists in the fabrication and marking by a stamp or seal the paper employed in transactions of divers natures in commerce, trade, suits, &c., &c., in fine, all acts to have faith in a court of justice. This paper is sold in certain public bureaus at a price marked on each sheet, and which varies according to the nature of the act.

The product of this tax is estimated in the budget of 1862 at $930,000.

The following are the principles respecting the acts to be subjected to the stamp which have been observed in the legislation on this subject:

1. The stamp is intended to reach, so far as possible, all acts which interest the fortune of individuals.
2. In general the poor and public charitable establishments are exempt from this tax, otherwise it would be impossible for the poor to make the acts necessary for their civil relations. There are many acts which the poor are not able to pay for, but which they are obliged to make by virtue of the law.
3. Acts relative to the exercise of political rights are equally exempt from stamp, for the reason that if they were an expense to the citizen he would be likely to dispense with them.
4. All acts where the stamp would have to be paid by the State itself are exempted.
5. The exemption is made also upon acts, registers, and other documents of individuals, even which the State has an interest to encourage.

The government alone has the right to manufacture stamped paper, and no one can sell it save when specially licensed.

The legislation on this subject is very complicated.

The principal laws still applicable to it are the following: Law of 9 Vendemaire, an 6; of 13 Brumaire, and of 6 Prairial, an 7; of 31 May, 1824; of 21 March, 1839; of 25 May and 20 July, 1848; and of 28 December, 1848.

The organic law of this tax is that of 13 Brumaire, an 7, which abrogated all the laws and provisions of other laws respecting the stamp on civil and judicial acts and registers, leaving, however, in force the provisions of the law of 9 Vendemaire, an 6, relative to stamp on newspapers, gazettes, or periodical publications, sheet music, placards, and playing cards; but these provisions have been since modified in Belgium.

This law of 13 Brumaire is, therefore, the corner stone of the whole system of stamp duties. The law of 25 May, 1848, abrogated the stamp upon journals and periodicals.

There are two kinds of stamps. The stamp on dimension, the amount of which depends on the size or dimension of the paper, and the proportional stamp, which is in proportion to the sum mentioned in the act, and without reference to the size of the paper.—(Law of 13 Brumaire, article 2.)

Proportionate stamp.—This stamp varies according to the nature of the acts, which will be given in detail.

Commercial paper.—The stamp on negotiable or commercial paper, on bills and obligations not negotiable, on drafts in time, or from place to place is, according to the law of 20 July, 1848, as follows:

For $40 and under, 2 cents; more than $40 and up to $100, 5 cents; from $100 to $200, 10 cents; from $200 to $400, 20 cents; and so on at the rate of 10 cents for every $200, without fractions.

Cheques.—The stamp on cheques, bills to bearer or stocks, or any other paper on unlimited time or payable five years after issue is, according to the law of 21 March, 1839, (article 1,) as follows:

From $100 and under, 10 cents; over $100 and up to $200, 20 cents; over $200 and up to $400, 40 cents; and so on, at the rate of 20 cents the $200, without fractions.

The exemptions from the stamp under this head are, interest on dividend coupons upon the said bonds, bills and obligations or shares, bonds, shares, and coupons attached, resulting from loans made by provinces or communes.

The law of 20 July, 1848, (article 2,) has reduced to two mills the stamp on cheques not exceeding $1 in amount

Stamp on coupons.—A law of 22 May, 1848, intended to aid the "General Society for Promoting Domestic Manufactures," permitted the government to authorize a new issue of bank notes by this society; this issue, solely made for the service of the savings bank, could not exceed $4,000,000.

Article 8 of the law directs the government, the proportional amount of coupons of $1 and $4 comprised in the issue, and fixes the stamp for these, of $20 and under, at $\frac{1}{5}$ per cent. The same provisions as to stamp have been extended to the coupons of the National Bank.

Stamp upon papers and bonds resulting from loans contracted for foreign countries.—This stamp was instituted by article 27th of the law of 31 May, 1824, upon paper, receipts, bonds, certificates, or shares resulting from loans opened in Belgium for account of foreigners; but it has been modified as follows by law of 22d March, 1839, (article 1, No. 3.) When the sum is $100 and under, the stamp is 30 cents; when the sum is $200 and over, the stamp is 60 cents, and so on progressively at the rate of 60 cents for every $200, without fractions. Subject to these provisions, the authorizations of the law of 31 May, 1824, (article 26,) remain in force, which are as follows: All bankers and commercial houses in the kingdom shall be allowed to open loans for account of foreign powers or foreigners generally, and to deliver receipts, bonds, certificates, or other documents showing participation or interest in such loans, whether already existing or to be opened later, or to be in *inscriptions* upon the public debt of foreign powers, banks, or establishments, our authorization being first to be asked.

"We reserve to ourselves in granting this authorization to take, if we judge necessary, measures to be informed of the amount and number of obligations or certificates to be issued."

Stamp upon dimensions of paper.—As was already stated, this stamp is by the law of 13 Brumaire, an 7, according to the dimensions of the paper employed, which are fixed by law, (article 3;) law of 13 Brumaire, an 7, as follows:

"Papers destined for stamp, which shall be sold by the *regie*," shall be manufactured of the sizes given in the following table:

Designation.	Length.	Width	Superficies.
Large register	0.4204	0.5946	0.2500
Folio	0.35 6	0.5000	0.1768
Medium, (half of large register)	0.2973	0.4204	0.1250
Small, (half of folio)	0.2500	0.3536	0.0884
Half sheet, (half of small)	0.2500	0.1768	0.0442

The law of 21 March, 1839, adds still another size, which is just half of the smallest given above. The amount of this stamp, fixed in the first place by the law of 13 Brumaire, an 7, modified afterwards by that of 31 May, 1824, was finally regulated as follows by the law of 21 March, 1839:

The large register sheet	40 cents.
And if for mortgages	50 "
The folio sheet	32 "
The medium	24 "
The small	18 "
The half sheet of small	9 "

"A stamp shall be made for the quarter sheet, (half of the half sheet of small paper,) which shall be five cents." This paper can only serve for receipts, and is assimilated for all other transactions; to "free" paper, notaries can use paper of less than 18 cents for acts which they preserve note of.

While the government fixes the dimensions of paper which it disposes of, the law does not exclude the use of paper or parchment of different sizes. Article 7, law of 13 Brumaire, an 7, is as follows:

"Citizens who wish to employ paper of other than regulation sizes shall be permitted to have it stamped before using it. Stamps corresponding in amount to the size of this paper shall be employed, but shall be applied on the upper right hand side. If the paper is of different dimensions from that of the regulation paper, the stamp, in so far as relates to the tax for size, shall be paid at the price of the largest size." This is called the stamp extraordinary.

The number of the acts requiring the dimension stamp is too great to be enumerated here.

There are certain special stamps, as follows:

Passports.—The stamp on passports was provided by the law of 21 March, 1839, (article 3,) at 40 cents for the interior, and $1 60 for passports for foreign parts.

The stamp on *permit to have sporting guns* is fixed at $6 by the law of 21 March, 1839, (article 3.)

Foreign journals.—The law of 25 May, 1848, suppressed the stamp on journals and periodicals, but p. 2 of article 1 adds that this suppression shall only be applied to journals and periodicals printed in foreign countries, in so far as journals and periodicals printed in Belgium are exempted in those countries. This stamp varies from ½ to 1 cent, according to the size of the sheet.

Warrants.—The law of 26 May, 1848, which institutes the system of "warrants," or titles of possession taken from special registers, fixes the stamp for the same at 60 cents.

Placards.—The stamp for placards is fixed by article 4 of the law of 21 March, 1839, at 1 cent per sheet of 15 *decimetres* square (about — inches) of surface and under, and for sheets above that at 2; augmentation per 5 decimetres.

Advertisements and notices.—Article 5 of the law of 21 March, 1839, provides that the stamp on advertisements and notices not destined to be placarded shall be:

For the sheet of 30 decimetres square of surface and over	16 mills.
For the half sheet	8 "
For the quarter	4 "
For the half-quarter, cards, and other small decimetres	2 "

Since the enforcement of the law of 28 May, 1848, suppressing the stamp on journals and periodicals, advertisements and notices inserted in journals have been exempted from the stamp. A stamp was established on the *patente* or license of tradesmen by the law of 21 May, 1819, and amounts to 9 cents.

Way bills are also subjected to a stamp of 2 cents, (law of 28 December, 1848.)

In addition to the sources of revenue above given, the state possesses public domains, principally forests, and it renders some services of secondary importance, other than those already indicated, the product of all which amounts to about $1,000,000 annually.

The tax on sales of liquor and tobacco and on mining operations also come within of the categories above given.

The tax on the retail of spirituous liquors was established by law of 1st December, 1859, and is as follows: On retailers of first class, $12; on those of second class, $10; on the third class, $8; on the fourth class, $6; on the fifth class, $4; on the sixth class, $3; and on the seventh class, $2 40. The population of a locality is the basis for determining the class under which the retailer falls. The law prohibits the laying additional centimes for the state on the tax, and declares that those shall be considered as retailers, first, who sell or deliver liquors in quantities of five quarts and under. Second, those who, either at home or elsewhere, in any accessible place, sell spirituous liquors for consumption on the spot. The law besides provides for the obligations to be fulfilled by the retailers, the classification in each locality; the formation of the lists and the collection of the tax; the amount in case of cessation of trade; fines and penalties; form of minutes; mode of proceedings against, and finally, the functionaries qualified to seek for and present offences under the law.

The product of this tax is estimated in the budget for this year at $240,000; and the number of persons subjected to the tax in 1861, 77,356.

Tax on retailing tobacco.—This tax is provided for in the law of 20 December, 1861, (art. 1,) and is lined as follows:

1st. On any retailer of tobacco in leaf or in powder, or manufactured in any way except in cigars, an annual tax of $3, $2, and $1 40 cents, respectively, for the first, second, and third class of dealers.

2d. On any dealer in cigars, whether he sells tobacco in other forms or not, from $4 80 cents to $19 40, according to the class, of which there are seven, the class, as in the case of the sale of spirituous liquors, depending on population. In villages, however, where the population is inferior to 1,500 souls, the licensed tradesman who only sells segars subsidiorily to his regular business can be classed under the first tariff.

Article 2d of law declares a dealer to be he who, either at home or elsewhere, sells or delivers tobacco directly to the consumer, irrespective of quality.

Article 3d applies to the tobacco dealers most of the provisions of the law touching the sale of spirituous liquors. The produce of the tax is estimated for 1862 at $40,000, and the number of dealers in 1861 was 25,043.

Unlike most countries in Europe, Belgium derives little revenue from tobacco. Owing to its territorial conformation and position, it has been found impracticable to carry out any system of excise on tobacco, the facilities for contraband being such as to make the collection too costly.

The revenue from the mines amounts to $103,000.

By the law of 21 April, 1810, (art. 33,) proprietors of mines must pay to the state a fixed proportionate tax. The fixed tax is according to the extent of the grant, and is $2 annually per square kilometre ($\frac{2}{3}$ of a mile.) The proportional tax is upon the product of the mines, and is regulated each year by the budget, and is from 2½ to 5 per cent. on the net product, the law, however, permitting owners of mines who desire it to pay a fixed sum yearly.

10 per cent. additional is levied to form a fund to indemnify proprietors of mines who have suffered by losses or accidents; and 5 per cent. additional for expenses of collecting.

The budget of 1861 added 3 per cent. more to this to defray the expenses of making general chart of the mines in Belgium.

The law also provides that the product of this tax shall form a special fund which shall have a separate account at the treasury, and shall be applied to the expenses of the administration of mines, to researches, and the opening of new mines, or the re-establishment of old mines.

About 500 persons or associations are subjected to this tax.

There are still some remaining, but trifling, items which figure in the budget, viz: fines for delinquencies, &c., under the laws respecting taxation and which are estimated for 1862 at $30,000; fines resulting from sentences of the criminal police or civil courts, &c., estimated at $28,000; storage in the public depots of the state, $36,000; extraordinary and incidental receipts, $5,000; and naturalization, which figures for $1,000 in the budget.

This tax is in accordance with the laws of 15 February, 1844. There are two kinds of naturalization admitted by the constitution, viz: The ordinary and the "grand" naturalization. The latter only assimilates the foreigner to the Belgian, and is subjected to a registry tax of $200; the "ordinary" naturalization is taxed $100 for registry. The exemptions are: 1st. Those decorated with the iron cross, and those who took part in the revolution; 2d. Soldiers in service at the time of the promulgation of the law.

Taxation in Belgium, compared with that of neighboring nations, cannot be called excessive. It is undoubtedly open to criticism in some details, and I can hardly doubt that in the spirit of liberal reform which animates the government and people will receive corresponding modifications. *Indirect* taxes seem to be out of proportion with *direct* taxation. I would suppose that a tax like the excise, which falls principally upon the poorer classes, is always unpopular, and costs 20 per cent. for collection, would in time be abrogated in the same liberal spirit which characterized the abrogation of the *octroi* or local excise, in 1860.

So, too, of the customs duties, which cost over one-third their amount for collection, and requiring about 5,000 *employés* for less than $3,000,000 gross revenue, and whose abrogation would seem necessary to make Belgium the commercial centre and depot of Europe, for which it is destined, by its position and railroad connexions.

Both these imposts will probably in time be removed, and the sum which they yield could be easily distributed over the real estate tax, which has become by the rise in property much less than when first imposed, and on the *personal* tax, which does not seem in proportion to the wealth of the country.

Should these reforms be carried out, taxation will fall almost entirely upon property while relieving the people, who will find favorable contrast in comparing their freedom from taxation with the burdens imposed upon the poorer classes in neighboring states, and the revenue system of Belgium will then be entitled to be called the most perfect and simple in Europe.

I enclose herewith the budget for this year, and transmit also various other documents which have mainly served in the compilation of this outline of the revenue system of Belgium, to wit: Code of taxation; customs and excise of Belgium; legislation touching the manufacture of spirits; legislation respecting sugars; general customs tariff; special tariff of duties under the treaty of May, 1861, with France; decree abolishing the excise and taxes known as "*octroi.*"

I have the honor to be, with great respect, your most obedient servant,

H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Sanford.

No. 74.] DEPARTMENT OF STATE,
Washington, November 19, 1862.

SIR: Your despatch of the 12th of May, No. 68, has been submitted to the President. The thrift and sagacity of the people of Belgium are not more universally esteemed than the skill of their government in financial administration. Your very elaborate and complete analysis of their revenue system will be submitted to Congress, and I am sure it will be accepted as a valuable contribution in a branch of knowledge not less important at this crisis than the science of arms itself.

It will please you, and it may correct some errors abroad, when I inform you that our revenue system, so recently established, is excelling the most sanguine expectations of its framers, and that our national credit seems rather to improve than to decline, notwithstanding the vast expenditures which are necessarily made in converting a commercial nation into a self-defensive military and naval power.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., *&c.*, *&c.*, *&c.*, *Brussels.*

BRAZIL.

Mr. Webb to Mr. Seward.

No. 3.]

LEGATION OF THE UNITED STATES,
Rio de Janeiro, October 24, 1861.

SIR: By the English steamer to Southampton, on the 9th instant, I had the honor to advise you of my arrival here on the 4th, and of my purpose to take immediate measures to punish such shipmasters as should be guilty of disrespect to our flag.

On the 9th I issued, accordingly, a circular addressed to all the consuls under the superintendence of this legation, a copy of which is enclosed and marked No 1. The circular was virtually issued on the evening of the 8th for the guidance of our consul at this port; but inasmuch as the steamer was advertised to sail on the 9th at 9 a.m., and the mail closed early on the evening of the 8th, it was impossible to advise the department of my action in the premises by that steamer; the circular bears date October 9. This explanation is rendered necessary by a misapprehension of Mr. Parsons, our consul, who reported to the department that I was holding the subject under advisement; whereas I had promptly decided upon the course to be pursued, but wished the circular to embrace the whole subject.

On the same day, the 8th, I advised the minister secretary of foreign affairs of my arrival, and asked an interview to arrange the time and place for the presentation of my credentials to the Emperor. On the following day, the 10th, I received a note from the minister of foreign affairs, Senhor Benevenuto Augusto de Magalhaes Taques, appointing the 11th, at 6 p.m., for the interview solicited, and requesting that I would at an early day, in advance of my presentation, prepare my speech to be delivered upon the delivery of my credentials, in order that he might deliver it to his Majesty, who had intimated his intention to have the presentation take place on what is called a full court day. I took the occasion to explain to Senhor Taques that my speech would be somewhat longer than usual, in consequence of my immediate predecessor, Mr. Meade, having, both on the presentation of his credentials and at his audience of leave, indulged in language derogatory to our country, and at war with the facts of the case. He said that such a course would be irregular and could not be conceded. I admitted its irregularity, but insisted that it became necessary, and was my right, because my predecessor had been permitted to assail our country, to which he had proved himself a traitor, both on his reception and in his audience of leave; and it was just and proper that his misstatements should be corrected as publicly as they were made. To this Senhor Taques replied: "Ah, but his Majesty made no response to what Senhor Meade said." I replied, "True, and in like manner I do not expect his Majesty to make any response to what I say. What I claim is, the right to refute slanders as publicly as they were made, and in the same distinguished presence." After arguing the question at some length, I suggested that the better way might be for me to write and furnish him with a copy of my intended speech, which I would do within forty-eight hours, and sooner if he desired. This he assented to, promising in the meantime to have an interview with the Emperor on the subject.

On the following day, the 12th, at 12 o'clock, I was not a little astonished by a visit from the minister of foreign affairs, accompanied by his friend Senhor Pecunha, of the foreign office, who speaks English fluently. The minister, after pleasant conversation with the ladies, said he had come to see me in regard to my speech, which he begged might not contain any allusion to what Mr. Meade had said; and he explained that his audience of leave was not a public audience, and that the Emperor would grant me a private audience to refute what Mr. Meade had said. I stated that I was not disposed to insist upon any course being adopted that might be unpleasant to the Emperor; and that while I waived the right of reply to what was said at the audience of leave, except at a private audience, I could not reconcile it to my duty, to my country, and the American people, not to claim the right of correcting Mr. Meade's misstatements in regard to our government as publicly and in the same august presence in which they were promulgated. That right I could not waive; but having claimed it, I should bow with respect to his Majesty's decision in regard to what should be omitted from my speech. It was finally agreed that I should have my intended speech copied, the original MSS. being then in process of preparation, and that I should forward a copy to the minister the same evening.

At eight o'clock p. m. I accordingly sent to the minister my intended speech, as enclosed herewith, and marked No. 2. About ten o'clock Senhor Pecunha waited upon me with my speech, and commenced by insisting that there was no allusion to slavery by Mr. Meade in his public audience of reception, or in his speech as on file in the archives of the department of foreign affairs, and that therefore that part of my speech which purported to be a reply to what he had said could not be spoken, but might be sent in a special despatch, while what Mr. Meade had said at his audience of leave was at a private audience, and an opportunity would be afforded me to reply in a similar manner. In reply to this, I opened the book of record containing Mr. Meade's despatch to the State Department, dated Rio Janeiro, December 14, 1857, in which he embodies a copy of his speech, from which I had quoted, and in which he plumed himself upon having made a favorable impression upon the government by this very allusion to slavery which I deemed it my duty to refute. And inasmuch as the archives of the foreign office appeared to be at fault in regard to this speech of Mr. Meade's, I politely offered to furnish a certified copy of it to be placed on file. He waived the objection taken to my reply, and said that quite possibly he had overlooked the paragraph referred to; that he would re-examine the record, and if, as he supposed, the quotation referred to had been omitted, he would apply to me for a certified copy. He then said, very frankly, that beyond all question it was my right, publicly, and upon presenting my credentials, to reply to what Mr. Meade had said on his presentation; that his Majesty conceded my right so to do, but that he would be embarrassed in making a reply, and equally embarrassed in not replying to what I said in condemnation of slavery. He begged, therefore, that I would not insist upon the exercise of the right to reply publicly, assuring me that if I would omit all except the beginning and conclusion of my speech, as proposed, and send the omitted portion in a special despatch, it would relieve the Emperor of all difficulty in regard to the question of slavery, and which is already making itself felt in the phases of party here. I at once said, "I do not insist upon anything, and will gladly meet the wishes of the government by withdrawing the speech submitted, and forwarding another copy, omitting all between the third and last paragraphs; it being understood, however, that I will, on the day after my presentation, forward to the minister of foreign affairs the omitted part of the proposed speech as a special despatch, which shall be published by the government. And it must be also understood that I will forward to my government my speech as proposed and sent to the foreign minister, marking thereon the parts omitted, and explaining under what circumstances they were omitted."

Senhor Peçunha gave his cordial assent to this arrangement, and thanked me, in the name of the government, for having waived a right, the exercise of which might have caused embarrassment.

My reception by the Emperor having been arranged to take place at the palace of St. Christoval, on Monday, the 21st instant, at six o'clock p. m., at half-past four o'clock the minister of foreign affairs, who has apartments at the Hotel Estrangeros, where I lodge, called at our parlor and kindly offered to accompany us to the palace, where, of course, he was bound in order to present us.

I arrived at the palace at the proper time, accompanied by Mrs. Webb and my niece, and, on presentation to the Emperor, delivered the speech as agreed upon, which was in the following words:

"Sire: It is to me a source of unalloyed pleasure, as well as a distinguished honor, to be permitted to present to your Imperial Majesty my credentials as envoy extraordinary and minister plenipotentiary from the United States.

"The President of the United States not only assures your Majesty of his profound respect and friendship, and of his anxious desire to cultivate the closest relations of amity between the two great nations of America, but he has done me the honor to express his confidence in my determination, to the utmost of my ability, so to discharge the duties of my mission as to accomplish a purpose which both he and the American people deem of the greatest importance, whether considered in a commercial or political aspect.

"And your Majesty may feel assured that it will be my pride, as it most unquestionably will be my duty, so to represent my country at this imperial court as to realize the wishes and the most sanguine expectations of the government of the United States; and when, in the course of events, my mission here will be brought to a close, I shall feel that it will have been a failure if the commerce between Brazil and the United States has not been greatly extended—if the cordial good understanding which now exists between the two nations has not been strengthened by renewed acts of amity and respect, having their foundation in sentiments of reciprocal esteem, as well as in those great principles of international polity which demand the most cordial and perpetual friendship between the leading American governments.

"I have but to reiterate the earnest desire of the President of the United States to cultivate the closest political and most friendly personal and commercial relations between the government and people of the United States and your Imperial Majesty and the government and people of Brazil, and it is made my duty, as it most assuredly will be my pleasure and the great aim of my mission, to accomplish this all-important object."

To which the Emperor replied as follows, the original of which, furnished by the minister of foreign affairs, is enclosed, marked No. 3:

"I feel very thankful for this new proof of friendship on the part of my good friend the President of the United States. I feel confident, Mr. Minister, that you have faithfully interpreted both the sentiments of the government of the United States and that of the Brazilian, which will help to strengthen and develop the relations that exist to such an advantage between the two countries"

The minister then proposed to the Emperor to bring forward the ladies for presentation, as is the custom; when the Emperor, as is not customary, said no, he would go to them in the ante-chamber; he accordingly left the audience chamber, followed by the court in waiting, and proceeded to the large ante-chamber and presented himself to the ladies, and continued in conversation with them about fifteen minutes. He then withdrew, followed by the persons in attendance, and we were taken by the grand chamberlain and minister of foreign affairs to the apartment of her Imperial Majesty the Empress, and formally presented. She invited us to be seated, and after an interview of about ten minutes we retired.

On the following morning Senhor Pecunha called, with a copy of the Emperor's reply to my speech, and he was instructed by the minister of foreign affairs to say that the Emperor's leaving the reception room to go to the ladies, instead of waiting to receive them, was altogether an unusual proceeding, and was intended to be a marked compliment. Hence my making reference to the fact in this despatch, as the compliment was, of course, to our country, and paid with the view to its being appreciated and reported.

I enclosed, marked No. 2, my speech, as originally prepared and placed in the hands of the minister of foreign affairs, in which I have quoted the portion actually spoken, while all the remainder was transmitted, as herein stated, as a special despatch on the 22d. It must be borne in mind by yourself and the President that I am here without any special instructions; and that in regard to the secession masters of vessels, as also in relation to what I deemed a rebuke of the treason of my predecessor, I have been left to act according to the best of my judgment, under the peculiar circumstances of my position. If my conduct meets your approval, I beg that you will so state, as the question may arise, whether, in what I have done, I have the sanction of my government.

I have just opened despatches from our consul at Maranham, apprising me of the visit of the pirate *Sumter* to that port; his, the consul's, protest against her being permitted to coal, and the disregard of that protest by the governor of the province. He also advises me that he has transmitted to the Department of State a full report of everything relating to the *Sumter's* visit, and of his action in the premises. I shall to-morrow call the attention of this government to the great breach of neutrality of which the authorities at Maranham have been guilty, and I doubt not that by the next steamer I shall be able to make a satisfactory report upon the action of the Brazilian government in regard to the matter.

Mr. Meade asked me, in London, for a letter of introduction to the President, assuring me that, although a southern man, he had faithfully discharged his whole duty to the Union. This turns out to have been a deliberate misrepresentation. While here as minister he was openly and offensively a secessionist and traitor, and did all in his power to bring the government of our country into disrepute; and hence the great necessity which existed that when I entered upon the discharge of my duties I should impress upon the consuls, the shipmasters, the public, and the government itself, that I represented a nationality willing and abundantly able to protect itself and to compel the respect of foreign powers. What has been done, whether right or wrong, has accomplished this purpose. The captain and officers of the steamer Tyne, in which Mr. Meade sailed to Southampton, and which brought me here on her return trip, informed me that on board that vessel Mr. Meade continually and in the most public manner denounced our government and justified the rebellion of the cotton States; and on several occasions he made proclamation that he and every true son of Virginia would sooner witness the return of that State to the colonial position it occupied before the revolution than consent to its ever going back into the American Union. And he unquestionably succeeded in impressing upon all parties here, where he was personally popular, a conviction of the weakness of the north, and the triumphant success of the "chivalric south."

Robert G. Scott, our late consul, was an open-mouthed traitor and a loud talker. He said on different occasions, "Meade is the greatest traitor of the two, and if he ever gets back to Virginia it will be in consequence of his disguising himself." He said *he* dared not show himself in New York or any northern State; and finally left here with his wife, who is from Maine, in an English ship for Liverpool. My impression is that he has sailed for Quebec under a feigned name, and if at the north, he is doubtless somewhere in the vicinity of his wife's relations. It is fortunate for him that he is not here, as he would unquestionably find himself a passenger on board a coffee ship bound for New York, and under command of a loyal American shipmaster, as there would be no difficulty in sending the traitors home without coming in collision with the Brazilian authorities. Our consul reports that a very decidedly better feeling exists among all the Americans here, and that the oath of allegiance is cheerfully taken by nine-tenths of the shipmasters, while even those of rebel proclivities admit its justice, and, after making wry faces, take the oath sooner than be refused their papers. Some of them had sworn roundly that they never would take the oath prescribed; and it is a matter of great exultation and pride with the loyal masters to perceive how thoroughly the blusterers, who boasted of their secession propensities and their secession flags, have been humbled before the authority of the United States government exercised in the most quiet way possible.

There will be no more exhibitions of disloyalty in the ports of Brazil; but I indulge the hope that our government will find it convenient to afford the necessary protection to our commerce on this coast. The extent of the Sumter's captures will not be known for some time, and I greatly fear that they will be much more numerous than has been anticipated. In connexion with Mr. Scott's treason, Captain Kelly, of the bark Lapwing, reports to our consul that on his last voyage home Scott intrusted him with certain letters, with instructions to burn them if, after his arrival at Baltimore, he found any difficulty in placing them in the hands of the persons to whom they were addressed. Upon reflection he (Captain Kelly) arrived at the conclusion that it was better not to attempt the delivery of them, and thereupon he destroyed them all at sea without breaking the seals. * * * * * * *

I also send, marked No. 6, as I find recorded in the archives, notes of what occurred at Mr. Meade's audience of leave, on which I based my right to enlighten the Emperor in relation to the character of the rebellion in the United States, and our determination to avail ourselves of our right to suppress it after our own fashion, and without recognizing the right of other governments to interfere between us and our rebels. Your admirable despatch to our minister in Paris afforded me the necessary data to speak authoritatively upon the subject; and, in my judgment, it was of importance to hold the language I did, in order to get rid of the false impressions produced by my predecessor's treasonable conduct and conversation. Until I shall have thoroughly removed the idea that we are too weak to put down the rebels and re-establish the Union, it will be idle to expect that attention to the representations of our government which it may become my duty to make. * * * * *

Yesterday morning, the 22d, I sent to the foreign office the omitted part of my speech as originally prepared, accompanied by the following despatch, and I am assured by Senhor Rearpha that it will in due time—that is, immediately preceding the meeting of the general assembly—be published, as is the custom of the government:

"LEGATION OF THE UNITED STATES,
"*Rio de Janeiro, October* 22, 1861.

"The undersigned, envoy extraordinary and minister plenipotentiary from the United States of America, has the honor to enclose to his excellency Senhor Counsellor Benevenuto Augusto de Magalhaes Taques, minister and secretary of state for foreign affairs, that portion of his speech intended to have been delivered upon the presentation of his credentials from the President of the United States to his Imperial Highness the Emperor Don Pedro II, but which, at the suggestion of his excellency the minister, was omitted in his presentation audience, with the understanding that it should be transmitted to his excellency as a special despatch, and in due course be published according to the custom of the Brazilian government.

"The undersigned avails himself of this occasion to convey to his excellency the assurances of his cordial respect and esteem, and of his most distinguished consideration.

"J. WATSON WEBB.

"His Excellency
"Senhor Counsellor BENEVENUTO AUGUSTO DE MAGALHAES TAQUES,
"*Minister and Secretary of Foreign Affairs.*"

* * * * * * * * *

I have the honor to be, very respectfully, your obedient servant,

J. WATSON WEBB.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

No. 1.

[CIRCULAR.]

LEGATION OF THE UNITED STATES,
Rio de Janeiro, October 9, 1861.

You are hereby instructed, from and after this date, to grant no clearances from this port to American vessels, unless the masters of said vessels first *take and subscribe* before you an oath to support the Constitution of the United States, and to sustain those in authority in the enforcement of the laws.

The refusal on the part of any master promptly and formally to renew his allegiance to the government of our country, at a time when its existence is threatened by a formidable and causeless rebellion, will be ample proof that such officer cannot safely be continued in the control of American property.

It has been repeated to the undersigned that in several instances ship-masters at this port, sailing under American papers, and claiming the protection of the American flag, have displayed in some part of their rigging the rebel flag of the so-called southern confederacy, and that when remonstrated with, they have claimed that inasmuch as they did not hoist the rebel flag at the peak, it was used by them only as a "*signal*" flag, the right to use which could not be questioned. This miserable pretence for publicly insulting the nationality of the United States cannot be tolerated, and you are hereby instructed, from and after this date, to displace any master of an American vessel who may be guilty of thus offending, and to place his first officer or such other suitable person as you may select in charge of such vessel.

The hoisting and displaying a secession or rebel flag on board an American vessel is to be considered as a declaration that the property over which it floats is in the possession of a rebel—virtually captured or stolen by one who proclaims allegiance to the so-called southern confederacy; and your dispossessing the master of the command of such vessel must be viewed as a recapture of American property from the pirates in whose possession it had fallen. The question will then legitimately arise for determination of this legation, whether vessels bound beyond the port where thus seized will be permitted to prosecute their voyage.

In cases where the voyage of the vessel or vessels taken possession of under these instructions terminated at the port to which you have been appointed a consul of the United States, you will instruct the mate or person put in charge by you to convey her direct to the port of the United States whence she cleared, provided she cleared from a port north of Baltimore, in the State of Maryland. If, however, the vessel cleared from Baltimore, or a more southern port, you will order her to be conveyed to the port of New York direct, with instructions to the person in charge to report himself to the collector of that port, and through him to the Secretary of the Treasury of the United States; and you will, in all cases, furnish the person in charge with a letter addressed to the collector of the port to which he is bound, detailing, for the information of the Secretary of the Treasury, the cause of the seizure, and the circumstances under which it was made.

You will, immediately on the arrival of American vessel in the port where you officially reside, serve upon the captain a copy of this circular, and retain in your possession evidence of such service.

The oath of allegiance to be administered under these instructions will be as follows:

"I, ———, master of the ———, of ———, do hereby solemnly swear that I do owe true and faithful allegiance to the government of the United States; and that I will, to the best of my ability, defend the Constitution of the United States, and give a cordial support to all persons in authority duly elected or appointed to administer the government and execute the laws thereof. So help me God."

I have the honor to be, very respectfully, your obedient servant,

J. WATSON WEBB,

Envoy Ex'y and Minister Plenipo'y for the United States.

Mr. Seward to Mr. Webb.

No. 12.]

DEPARTMENT OF STATE,
Washington, December 12, 1861.

SIR: Your despatch of October 24 (No. 3) has received the President's consideration.

Your speech to the Emperor, on the occasion of presenting your credentials, was equally just and appropriate. The Emperor's reply is entirely satisfactory, and the sentiments of friendship towards the United States which he expresses are much enhanced in value by the special marks of consideration which he bestowed upon you at the audience.

Your special note to the minister for foreign affairs, touching the conduct of your predecessor, is approved. It is among our humiliations that disloyal representatives have exerted themselves to lower the national character in the respect of the governments to which they are accredited. The course of treason, however, is always short, while loyalty, like every other virtue, knows no fatigue, and seldom encounters discomfiture.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES WATSON WEBB, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Webb.

No. 13.]

DEPARTMENT OF STATE,
Washington, December 12, 1861.

SIR: I recur to your despatch (No. 3) of the date of October 24.

Your course in issuing your circular, concerning the secession flag, to the consuls in the Brazilian empire is approved. We trust that it will have the effect of saving the national prestige in South America.

It is to be regretted that the late minister—your predecessor—and the late consul at Rio have probably escaped, for the present, the account which they owe to the government for their treasonable abuse of the confidence of their country.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James Watson Webb, Esq., *&c.*, *&c.*, *&c.*

Mr. Webb to Mr. Seward.

No 17.]

Legation of the United States,
Petropolis, *May* 20, 1862.

Sir: I perceive by allusions in the public press, although the message itself, *in extenso*, has not come under my observation, that the President, in suggesting the means of carrying out the gradual manumission of the negro, alludes to the necessity of obtaining a place of colonization for the persons manumitted. The wisdom of such a suggestion is too manifest to require discussion; but the purchase of territory for this wise and philanthropic purpose may be attended with difficulties so embarrassing as, in a measure, to defeat the object in view. It has occurred to me, therefore, that the labor question of Brazil, upon the early solution of which so much depends, and to which I have heretofore referred, may be rendered auxiliary to our own difficulty in disposing of the freed negro.

The rapidly increasing value of the negro in the province of Rio Janeiro and all the southern provinces of the empire, and the steadily advancing price of coffee, added to the well ascertained fact that the *slave* population is on the *decrease* instead of the *increase*, as with us, where the African is of a far lower type than those brought to Brazil, is rapidly depopulating the northern provinces of the empire. Every coasting vessel brings its ten to thirty slaves for sale at Rio, for the supply of labor in this vicinity and on the coffee plantations; and the cry is heard from the provinces of Para, Maranham, Piauhi, Parahiba, Pernambuco, and even Bahia, that they are being depopulated, for the benefit of the southern provinces, by the inevitable law of demand and supply. It is now conceded, too, that the negroes on the opposite coast of Africa, whence Brazil was supplied, are a very superior race to the tribes further north, which furnished the slave for the West Indies and the United States. The latter are an ignorant and docile people, and, with few exceptions, they yield themselves naturally to servitude, even in their native Africa. Not so the *Minas* and tribes further south, and from which Brazil was furnished with laborers. They are a fierce, warlike, and intellectual people, to whom slavery is as much a burden as to many of the Caucasian races, and they are not only ready for insurrection and capable of extensive combinations and conspiracies to effect their liberation, as the insurrection in Bahia some years since abundantly proved, but it is now susceptible of demonstration that, throughout the slave population of Brazil, there exists, to a greater or less extent, an organized conspiracy to prevent the increase of slavery by the mothers committing infanticide! Of course, *nature* is too powerful in the breasts of women to render such a combination universal, or slavery would cease in a single generation. It is proved, however, that there are sufficient of the fiercer traits among the slaves to render infanticide so frequent as to prevent their increase; and the slave trade being at an end, and colonization from Europe checked by unwise and selfish laws, well may the statesmen of Brazil tremble at the prospect which the future presents. To me it is clearly manifest that, unless the southern provinces of Brazil are supplied with laborers from abroad, which can only be in consequence of a change in the colonization laws of the empire and some special legislation, those provinces lying under the equator will be robbed of their laborers by reason of the higher price which the slave commands in this region, and, in consequence, the north will revert to the possession of the native Indian and the wild beasts, from whom it was conquered by the introduction of African labor.

Is there no remedy for this great evil now pressing with such force upon Brazil? I think there is, and that Providence is pointing out the mode of relief by the events now transpiring in the United States. In one word, the finger of God, in my mind, points to the northern provinces of Brazil as the future home of the manumitted negro of the United States; and thus, by the simplest of all means, the United States, Brazil, and the freed negro, are all to be equally benefited by one and the same measure, viz: A treaty between the United States and Brazil, by which all the freed negroes of the United States shall be transplanted to the region of the Amazon at the expense of the United States, and there be endowed with land gratuitously by Brazil, and at the expiration of a term of years become citizens of Brazil, with all the rights and privileges of the free negro population of the empire; all of whom, by the constitution, are the recognized equals of the white man, and equally eligible with him to the highest offices of the empire, and where already the social distinction between the white and black races, which once existed, have been nearly eradicated. On the bench and in the legislative halls, in the army and the navy, in the learned professions, and among the professors in her colleges, as also in the pulpit and in the social relations of life, the woolly-headed and thick-lipped descendant of Africa has his place side by side with his white "brother" in Brazil, and not unfrequently jostles him for his position.

Under these circumstances it appears to me quite impossible that the government of Brazil could hesitate to enter into any reasonable arrangement which might be suggested and which does not involve the expenditure of money. It is of vital importance to prevent the further depopulation of the northern provinces; and how can that be done so effectually as to introduce free negro labor, and what is more experienced and practical, negro labor? No person familiar with the subject can for a moment doubt but the government of Brazil, with all its apprehension of negro insurrection, would willingly purchase, at $250 per head, 50,000 Africans for the supply of laborers in the northern provinces. This would be a sum of $12,500,000; and it would cost as much more to qualify these Africans for the performance of the duties required of them—say $25,000,000 for the 50,000 Africans.

Now, I insist that 50,000 freed negroes from the United States would be worth to Brazil more than 100,000 slaves from Africa; and being free men and citizens, all apprehension of insurrection would cease, while of necessity they would adhere to the soil where originally planted, instead of being shipped off and sold as *chattels* to some other part of the empire where slave labor happened to be in demand. And I propose to *give* Brazil ten or twenty times that number of freed, practical laborers gratuitously, or in return for land now utterly valueless.

The advantages to Brazil of some such arrangement as I suggest are so palpable that I will not here enter into a consideration of the subject, but when necessary make them apparent to this government, as they must be at a glance to *you*, should I be authorized to open negotiations upon the subject in question. The object of this communication is to demonstrate what I think would be a feasible and economical plan of colonization to the United States.

1st. It must be assumed as a fact, conceded by all parties, that if we emancipate, we must also be at the expense of colonizing the negro.

2d. If we give to the slave freedom, it is not only the right but the duty of the government to accomplish the object at the least possible expense to the people.

3d. Freedom being the object in view, the true philanthrophist does not insist that it shall be immediate.

4th. The object to be attained being the freedom of the slave, the time when is a secondary consideration; it being understood that it shall not be unnecessarily delayed.

5th. To make freedom available and conducive to the happiness of the slave, as well as desirable, a probationary state of "apprenticeship" may become in most cases an absolute necessity.

6th. The expense to our government of colonizing the freed slave should be reduced to the smallest possible sum, and, if possible, his colonization should be at his own expense, and our government be altogether exempt from the burden.

7th. I suppose that if the question were put to the people of the United States, whether they would willingly incur an expense of $100 per head in colonizing the freed negro, the response would be "aye," and the feeling would be universally in favor of their expatriation to some place where they would cease to have any political connexion with our country.

Now, my belief is—but it is of course only an opinion, and it will require time to discuss and consider it in all its bearings—that ten thousand, an hundred thousand, or even a million of manumitted slaves may be comfortably transported to Brazil, and here become valuable auxiliaries and useful citizens without one dollar of expense to our government, and solely at the expense of the colonist himself.

It must be borne in mind that in the infancy of our republic, when it was desirable to entice the immigrant to our shores at his own cost, and at the same time to devise means for the poor laborer to come to us, we passed laws authorizing the owners and masters of vessels to bring such immigrants to our shores at their own cost and to possess a lien upon their time and labor out of which to remunerate themselves for the cost of transportation to the free soil and all the blessings of the free institutions of the United States. Under those laws thousands of the laboring poor of Europe came to our shores, and upon landing they were literally sold to the person who would pay the charges against them for the shortest period of labor. They thus became apprenticed to their new masters for a period of time varying from six to eighteen months and two years, according to the amount of their indebtedness to the vessel which brought them across the Atlantic. These people were known as "*redemptionists*," and you and I know children of these "redemptionists" who have filled high and honorable places in the republic, and the bronze monument to Jefferson in front of the Presidential mansion is a living testimony of the legislation referred to. The law was a wise one, and the result proved it to be expedient and suited to the exigency of the times in which it existed. It was good for the fathers and mothers of some of our most useful citizens, and fanatical indeed must be the man who would perceive any injustice or cruelty in applying the principles of these early laws of the republic to the manumitted slave or negro in the process of transformation from a mere *chattel* into a *freeman*. Instead of manumitting the slave, then, at once, he should be made to pass through a transition state, in which he would be educated for the ultimate enjoyment of his freedom, at the same time that he would be paying the expense of his education and the cost of his transportation to his future home.

What with "contrabands" now on hand, and those which must accumulate pending this civil war, it is quite safe to say they will number at least thirty thousand at the termination of the war, without counting upon the action of slave States under the resolution of Congress. Their case will require immediate attention and prompt action, and the result of that action is destined to exercise a controlling influence upon the future action of the northern slave States on the recommendation of the President and the resolution of Congress. I propose, then, simply as suggestions for your consideration and for the consideration of all the philanthropists of the United States or throughout the world, that a joint-stock colonization company be created, the liability of every subscriber to which shall be limited to the amount of his subscription, and that the president of such company, and one-fifth of the directors, shall be appointed by the President of the United States; that for every dollar subscribed and paid in, the government shall loan the company, at five per cent. per annum, an equal amount, the sum to be subscribed in the first place to be limited to $3,000,000, to be increased from time to time, according to the demands for colonization. This would give the company an active capital of $6,000,000. The contrabands, or manumitted slaves, should be then transferred to this company to be transported to Brazil, or such other place as may be agreed upon, and the company to have a claim for their services for three years from the time of their arrival. At the expiration of their apprenticeship the freed negroes to receive a certain amount of land, of which at least five acres shall have been cleared, have a hut on it, and shall be rendered suitable for immediate cultivation at the expense of the company; and the emancipated colonist also to have bestowed upon him certain agricultural implements and —— dollars in money.

Is this feasible? I have not a doubt of it; and if feasible, then, beyond all peradventure, it is a project well worthy the consideration of the philanthropist, the capitalist, and the governments of the United States and Brazil.

1st. Brazil should, and no doubt would, willingly set apart a tract of country in a healthy locality or localities on the shores of the Amazon or in that region, and convey in fee to the company at least one hundred acres of land for every colonist freed, and a proportionate number of acres for all children born to the colonists during their apprenticeship, who, of course, would be liberated with their parents.

2d. Only one-fifth or some specific portion of the land thus granted should be required to be conveyed to the liberated apprentice; the remainder to belong to the company as *profits*, to be sold by them to the colonists or whomsoever they please, under certain restrictions, to remunerate it for having cleared a portion of the land for the liberated apprentice, and erected him a hut, and furnished him with implements of industry, &c., &c., in addition to the expense of his transportation to the colony and caring for him during his apprenticeship.

3d. Beyond all question, the value of the labor of the colonist, during his three years of apprenticeship, would quadruple his cost to the company in transporting him to the colony; and thus the company would not only be in a condition to repay its loans from the government of the United States, but to return to the capitalists their entire investment, before the expiration of the manumitted slave's term of apprenticeship! and at the same time be in a condition to add largely to the quantity of land and other gratuities extended to the liberated apprentice.

4th. This project, if applicable and successful in relation to twenty or thirty thousand colonists, would be equally applicable and far more successful when applied to hundreds of thousands.

5th. It would take from our shores our negro population as rapidly as emancipated, *without the cost of one dollar to our government*, and by simply the loan of a sum which it would cost to transport them to any distant colony.

6th. It would insure to the liberated negro the probationary education so necessary to enable him to enjoy freedom and become a useful citizen of a great empire.

7th. It would be immensely remunerative to the philanthropists who would embark in and, under a certain control from the government, direct its operations.

8th. It would be an inappreciable blessing to the United States, by getting rid of the liberated slave without any future political questions connecting him with the country.

9th. It would be the greatest possible blessing that could be bestowed upon the freed negro, and accomplish his redemption, and conversion into a freeman, in the shortest conceivable time.

10th. It would save to Brazil her northern provinces, and in the course of a very few years add a million of *free*, experienced, and orderly laborers to aid in developing her inexhaustible resources.

11th. It would, in process of time, furnish the markets of the world with a never-failing supply of cotton and sugar, the produce of free labor.

I submit to your better judgment this rough outline of a *project*, so little digested and so hastily thrown together, that while no one of its details would probably stand the test of a week's or even a day's careful consideration by myself, contains a general idea which good men will, I am sure, hasten to ponder upon, and in the end work out therefrom a great and noble *project*. And in order that you and others may have the subject under consideration, and not because I wish my crude ideas to be adopted, or even believe them proper to be adopted, I have ventured to bring the matter before you. Experience has taught me that, in all human affairs, it is better to have before you a *plan* for the mind to seize upon, although you know at starting that every fraction of such plan must succumb to investigation and consideration as the process of ratiocination progresses. And I repeat that, so far from having any idea that my plan is a good one, I do not doubt that upon reflection I should reject every detail, adhering only to the following general ideas:

1st. It is indispensable to the liberated negro that he should be transferred beyond the limits of the United States while in the transition state of an "apprentice," and previously to his being finally emancipated after a certain probationary term of labor in his new home.

2d. The United States could and should transport all her liberated slaves as "apprentices" to an eligible country, where, by their own labor, they can remunerate those who confer upon them this blessing.

3d. The knowledge of this fact, demonstrated by discussion and experiment, would hasten the entire abolition of slavery in the United States.

4th. It is not only the interest of the United States, and absolutely necessary for her internal tranquillity, that she should get rid of the institution of slavery, but, in consequence of the prejudices of our people against the African race, it is indispensable that the liberated negro should be transported beyond our borders, because he can never, with us, enjoy social or political equality.

5th. *Brazil* is, of all others, the country to which he should be conveyed, because here no such prejudices exist; and here the constitution, the law, and public opinion, as well as practical experience, have paved the way for the elevation of the negro to any position, social or political, for which his talents and education may have qualified him.

6th. *Brazil* is perishing for want of labor. The slave trade has terminated, never to be revived; so that all supply from that source has ceased. Bad colonization laws and prejudices which it will take years to conquer keep away the European laborer, and before these difficulties can be overcome the disease will have reached a climax; and at this juncture the government of the United States, acting under the control of a higher power, having resolved to get rid of its greatest curse, can offer to Brazil that which she most desires, and at the same time free from bondage hundreds of thousands of our fellow men who have been born in slavery, to elevate them to the condition of freemen in a land where free labor is a necessity; and where free labor only, and the attachment of the laborer to the soil, can prevent the country relapsing into the barbarism which preceded its discovery by the European.

7th. To accomplish all this, God has made it alike the interest of the United States and Brazil to act in concert. The fruit is ripe and only awaits the plucking. The President and the United States and the Secretary of State have but to say the word, and the initiative of a great work will be taken, which, in its results, cannot fail to confer incalculable benefits upon the United States, Brazil, and millions of the African race.

In conclusion, I would remark that my reasons for suggesting a chartered company for this great work are—

1st. That it is desirable, as far as possible, to separate the government from all duties not legitimately or necessarily within its sphere, and to get rid of the jobbing and patronage which would grow out of this enormous undertaking.

2d. To enlist the enterprise, talent, good feeling, and capital of the world in the greatest work ever undertaken by man, being no less than the liberation of millions of slaves, transplanting them to a new home, watching over and caring for them during a term of pupilage, fitting them for freedom, and finally bestowing upon them that great boon when in a condition to appreciate and enjoy it.

3d. Because the government of Brazil might much prefer to deal with a company to giving to any foreign government the rights and privileges which it would be absolutely necessary to possess, and which, if conferred upon a company, could, and necessarily should, be regulated and guaranteed by *treaty* between the United States and Brazil.

But these are only crude notions. If wiser men should, upon reflection, deem it better, or more politic, or more expedient, that the government of the United States should keep the matter exclusively in its own hands, so be it. Only let it be understood from the start that the matter can be so arranged that the liberated slave shall, by a wise direction of his energies, *be made to pay for transportation to his new home and his education for the discharge of the duties of a freeman.* The whole subject is one of the greatest magnitude that ever occupied the thoughts, or called forth the energies of man, and wisely cared for, under the providence of God, cannot fail of success. It is quite impossible that in a case where the giver, the receiver, and the party or thing bestowed, are all to be palpably and immensely benefited—where injury cannot possibly result to either, and where there can be no rivalry or jealousy, and where good only, and the greatest good, must accrue to all—it is impossible, I say, that where such are to be the fruits of a project, to look upon its failure as within the scope of probabilities, or even of *possibilities.* And such is the project of negro colonization from the United States in Brazil, his education there at his own expense, and his becoming a free citizen of a great empire. The United States will be blessed by his *absence,* and the riddance of a curse which has wellnigh destroyed her; Brazil will receive precisely the species of laborers and citizens best calculated to develop her resources and make her one of the great powers of the earth; and the miserable, ignorant, and down-trodden slave, who is now a mere *chattel,* with body and soul alike uncared for, will have his shackles knocked off, be liberated, educated for freedom, and have bestowed upon him the great boon of personal liberty.

All which is hastily and crudely submitted, with most profound respect, to the better judgments and more deliberate consideration of those in authority, by their obedient servant,

J. WATSON WEBB.

Hon. WILLIAM H. SEWARD,
Secretary of State.

On the necessity of supplying Brazil with labor, and the policy of procuring free black labor from the United States.

The great want of Brazil at this day is *labor.* From the character of her climate and soil *black* labor is preferable to *white;* and because free labor is more stationary, and cannot be removed from the regions to which it has accommodated itself, *free* black labor, in a national point of view, is preferable to *slave* labor.

The demand for labor upon the coffee plantations and in the southern provinces of Brazil, generally, is gradually depopulating the northern provinces, because the labor there, being slave labor, the owner of it may transfer and sell it whenever he pleases; and according to the well-established principles of political economy, labor, like every other merchantable commodity, will necessarily flow where it commands the highest price. Hence, according to the laws of demand and supply, the labor of the northern provinces being slave labor, and transportable at the will of the owner, it follows, as an irresistible conclusion, that just as the demand for labor increases in the southern provinces, and the price of the slave advances, that demand will be supplied by transferring the slave of the northern provinces to the regions where the greater demand and consequent higher prices exist. The consequences are inevitable, and to Brazil most disastrous, being no less than the depopulation of the northern provinces, and their relapsing into the state of barbarism from which they were rescued by African slave labor.

Were it the more temperate and genial southern provinces of the empire which are threatened with this depopulation, time would remedy the evil; because in process of time the government and people of Brazil will come to perceive the absolute necessity of passing such wise and liberal colonization laws as will insure emigration and a supply of white free labor from the too densely populated regions of Europe. But, unfortunately, not so in regard to those northern provinces of this vast empire, lying under and in the regions of the tropics, whose undeveloped resources could afford employment to all the unemployed labor of the world, and in time render Brazil the richest and the greatest among the kingdoms of the earth. They cannot be redeemed and cultivated by white labor. Suffer them once to become depopulated, and how is the evil to be remedied and its consequences to be averted? The African slave trade can never again supply the negro labor alone suited to the region; and white labor is quite out of the question. Free negro labor, then, is the only possible mode of averting from Brazil the great evil with which she is threatened, and the gradual but certain approach of which does not appear to have awakened generally the anxiety and alarm it is so well calculated to excite. And the great author of all good appears to have placed within the grasp of Brazil the remedy which of all others is alone calculated to avert from her the threatened evil.

God has built up in the hearts of the people of the United States of America, whose soil and climate is uncongenial to slave labor, a horror of the institution of slavery, which has resulted in the greatest civil war the world has ever witnessed, and which can never be brought to a close without the emancipation of at least a million of slaves within the next five years, and of the whole four millions within a reasonable period. Time and circumstances, not necessary to be considered in this memorial, have produced prejudices between the white and black races in the United States, which, to the honor of Brazil, do not exist here, and which render it absolutely impossible that the two races should live together on terms of social and political equality. When manumitted, therefore, there exists an absolute necessity that the freed negro should be transported beyond the jurisdiction of the United States, where he can never enjoy *political* or social equality. The negro thus to be manumitted has been trained to labor, is docile and tractable, but sighs for freedom. And God, in his infinite wisdom and mercy, has rendered it the policy and the interest of the United States and Brazil to secure to him that freedom. *Brazil* is absolutely suffering for *labor*. *Four millions* of negroes educated to labor, each one of whom is worth three native Africans, are sighing for freedom, and ready to purchase it on the genial soil and under the liberal laws and institutions of Brazil.

The United States stand ready to throw on the instant from ten to fifty thousand of her experienced and educated laborers upon the soil of Brazil without cost and without price, if Brazil will but open wide her arms to receive them and provide for their future comfort.

Most assuredly the finger of providence is manifest in this extraordinary combination of causes, which gives at one and the same moment, and almost without cost to the United States or Brazil—

1st. The riddance by the United States of a population which she is ready to free from bondage by the expenditure of hundreds of millions of dollars.

2d. A genial home for the emancipated negro, where, by a short apprenticeship, he can secure to himself freedom, political and social equality, and pecuniary prosperity.

3d. To Brazil a supply of necessary and experienced labor at a moment when that necessity is pressing most severely upon her industry and prosperity.

The first great object of Brazil should be to secure to herself this proffered labor; and the *modus operandi* of doing so it is the purpose of this paper to indicate. Having accomplished this object, which, in her wisdom, I think Brazil cannot omit to do, her next object should be to arrest the process of depopulation now going on from the northern provinces, by directing the first importations of partly emancipated negroes or "apprentices" from the United States to the supplying of the demand for labor in the southern provinces of the empire. And to do this, she has only to give freely of her *wild lands*, now utterly valueless to her, and forever to remain so, unless she places upon them the proper laborer for their cultivation. And if that laborer is to become a freeman and a citizen of the empire, so much the better for her future prosperity and greatness.

Brazil, at this time, with a foresight and liberality unprecedented, has devised and is constructing a system of internal improvements which commands the admiration of the world. The government loans its credit to do what individual enterprise could not accomplish, and freely guarantees satisfactory results to the capitalists of Europe who build her railroads. But it is not unknown to the statesman of Brazil that the far-seeing and shrewd capitalist has already halted in his desire to invest in the stock of her railroads, because, as he alleges with too much apparent truth, that after they are completed and have opened to commerce the finest coffee, sugar, and cotton regions in the world, the *absence of laborers* to cultivate and produce these great staples will leave her railroads without employment for a tithe of their capacity, and thus render them almost valueless, instead of largely remunerative. It is all-important, then, to the credit as well as the prosperity of Brazil, that a very large laboring population should immediately be thrown into the rich agricultural regions whence her railroads are directed, and from which, when they are completed, there will be but little or no traffic for them, because there will be but little agricultural product to transport. To draw the labor for agriculture, in this quarter, from the more northern provinces would be a fatal error; and, therefore, to prevent or arrest the drain from thence already existing is a matter of primary importance, which can only be accomplished by the immediate introduction of free white or black labor.

Of the general and almost universal progress of evil growing out of the existing demand for labor it is unnecessary to speak. Every wise man in Brazil well knows that since the suppression of the slave trade and the cessation of a supply of labor through that channel the value of a slave has nearly quadrupled, and the actual value of labor has increased at least *two hundred* per cent. As an inevitable result, and in strict accordance with the principles of political economy, all the necessaries of life have advanced in nearly the same ratio. The consequence is, that the masses are daily becoming poorer, and in time this state of things must brood discontent with the government, whether it be or be not in its power to afford the necessary relief. The author of this paper has witnessed, through a long life of practical experience, the beneficial influences of good colonization and naturalization laws upon the introduction of free labor into a new country, and the almost miraculous prosperity, national and individual, flowing therefrom; and as a friend to the future greatness of Brazil, he entreats of her to pass laws calculated to draw towards her the free labor of overpopulated Europe, and to seize with avidity the proffered opportunity, if not already too late, of securing to herself the manumitted negro of the United States; and he therefore proposes to his Imperial Majesty that a concession be made in the following form or substance, or such other form as may retain and embody the substance thereof, and that the same be embodied in a treaty to be negotiated between the author of this paper, as the accredited representative of the United States, and Brazil, for the approval of the Executive and Senate of the United States.

Mr. Seward to Mr. Webb.

No. 33.]

DEPARTMENT OF STATE,
Washington, July 21, 1862.

SIR: Your able despatch of May 20 (No. 17) has been submitted to the President.

It brings into coincident review the aspects of slavery in the two countries, which, although very widely separated, are the two principal states on this continent, and the only two which tolerate that form of human bondage. This review, at the same time, derives great interest from the fact that it is made the basis for suggesting a philanthropic scheme for effecting the relief of both countries from the evils and dangers with which you assume that this toleration of slavery afflicts them.

Although the political and social conditions of Brazil and the United States are very unlike, they do not entirely disagree. Each is found in what may be called a formative and not in a settled and fixed stage. In the former there are besides the slaves of African descent many who have been brought as captives from the African coast. In the latter, practically speaking, there are only native slaves of African derivation. In Brazil the slave is generally the only laborer, and he is found in every province. In the United States slaves are exceptional from the general prevailing system of free white labor, and are found in only a section and not throughout the whole country. Under the circumstances thus described, each of these two countries has accepted the conviction of the age that the African slave trade is injurious and inhuman, and has abolished it, and thus has closed the original fountain of supplies, leaving the cut-off streams replenished only from diminutive native springs, to shrink, stagnate and dry up, if they will.

A great alteration of social laws, however inevitable and however ultimately beneficent, must necessarily be attended with immediate inconveniences, and often with violent disturbances and convulsions. Governments, in cases where the error is a fundamental one, must make the desired reform as early as possible, but at the same time with a wise moderation, so as to mitigate the immediate evil without losing the ultimate objects of safety and improvement. How to practice this moderation is really the problem now to be solved respectively by Brazil and the United States.

You tell me that the abolition of the African slave trade on the part of Brazil has resulted in producing a scarceness of labor and, of course, an enhancement of the value of the slaves; that at the same time, owing to a great increase in the world's consumption of coffee, there is an exalted demand for labor to produce it in Brazil; that owing to these circumstances the slaves are being rapidly transferred from the northern provinces, which produce little or no coffee, to the southern coffee producing provinces; that discontent pervades, and even an organized conspiracy exists among the slaves to prevent the increase of their class, and that for this purpose they resort even to the fearful practice of infanticide. You tell me, also, what contemporaneous information confirms, that owing to some cause emigration from Europe into Brazil is practically unknown, and you add that unless some remedy is applied to these evils the northern provinces will be exhausted of laborers and will relapse into their early colonial condition, and attempts will then be made to revive the enslavement of the native Indians.

Casting about you for a remedy for these assumed evils in Brazil you not unnaturally turn to survey the condition and prospects of slavery as it lingers in the United States, where slaves increase rapidly in number instead of decreasing. You assume that many slaves here are by some process or other speedily to become free, and that owing to the native and exotic augmentation of free white men the slaves so becoming freedmen will be superfluous as laborers. I understand you, but perhaps erroneously, as also adopting an idea which to some extent prevails here, that policy requires the removal of such freedmen of African descent out of the country to some other, where they could be kindly welcomed and furnished with homes and facilities for self support, and in a reasonable time elevated to the privileges of members of the political state. Warned, as well you may be, by this humanitarian aspect of the condition of the two countries, you think that you discern the finger of God pointing to the northern provinces of Brazil as the land of promise, rest, and restoration of the slaves now in the southern States of this republic. Thus believing, you ask from the President power to negotiate a treaty to effect the removal of such freedmen from their present homes and their colonization upon most liberal principles in Brazil. The President cannot, without further consideration, accede to this request, yet you are not, therefore, to suppose that he undervalues either the motives which suggested it or the grave considerations by which you have supported it.

We can readily believe that your speculations upon the social and political evils of Brazil are just; yet courtesy to that state forbids this government from assuming their complete truth, and basing on it a proposition with a view to a relief of those evils, without having first some overture from the head of that empire. Moreover, we have no right to assume that the Emperor of Brazil would prefer an expelled caste from this country to other possible supplies of population for the improvement of the laboring classes of the empire.

It remains to consider whether this government is prepared to entertain negotiations with Brazil with a view to our own relief from such evils as you have supposed to exist or to be imminent in this country.

You are aware that the question of slavery is the *experimentum crucis* in American politics. Slavery is the cause of this civil war, and debates upon the present treatment and ultimate fate of slavery give to its abettors and to the government which is engaged in suppressing it much of their relative strength. Their relative weakness results equally from the same debates.

I present the condition of the debates in general review, not deeming it either necessary or important to declare opinions on the part of the government upon any of the propositions involved. If we embrace in our view the insurrectionary, as well as the loyal regions of the United States, it may justly be said that even the question whether slavery is an eradicable evil is yet open and vehemently discussed. In what manner and by what process slavery shall be brought to an end, whether by the civil authority of the States which tolerate it only, or whether as a military necessity of the present civil war by the federal authority; and, in either case, whether the abolition shall be immediate or gradual, with compensation or without, who shall pay such compensation, and the measure of it; whether the slaves emancipated shall be removed or be suffered to remain in their native homes, how removed, and at whose cost: whether their consent shall be required or waived; whither they shall be removed and colonized; whether they shall be colonized within our own jurisdiction, and on what terms, or in some region to be purchased for the purpose, and over which the federal authority shall be extended for their protection, making them an outpost and support of the republic, and, possibly, a burden; or whether in some central or South Amerian country, with the consent of their government, and relinquishing to such government the benefits and the charges of the colony, what country or countries, in either case, shall be preferred? All these questions remain a subject of earnest but as yet very confused discussion. They are, at the same time, questions which are involved in the proposition you make. You know that, practically, the executive authority cannot lead but must follow the popular will on such great and vital questions as collected in our frequently recurring elections, and expressed by the legislature and the Senate of the Union. We have every reason to believe that the assent of two-thirds of the Senate to any treaty based upon an executive decision upon these questions could not now be obtained, and, even if that were possible, then the provisions of the treaty could not receive due effect until a majority of Congress should have approved them, because appropriations of money to enable the President to execute the treaty must be made by law.

It must not, however, be inferred that the uncertainty of the public mind, which I have described, is a permanent and unchangeable one. On the contrary, the national mind is every day more directly and earnestly fixed upon the complex problem, and it advances in one day as far as once it advanced in a year. The solution of it in all its branches is therefore near at hand, but no human wisdom can foresee through what new political changes, affecting the subject, the nation is to pass before reaching that solution, and how not only the policy to be at any time adopted with a view to ultimate results but even the results themselves are to be affected by such changes.

If now we consider the subject practically we shall see our case to be simply this: The nation has decided, and decided forever, first, that slavery shall not henceforth be extended under our flag over territories now free; secondly, that the African slave trade shall never be revived or renewed; thirdly, that slavery shall be forever abolished within the federal District of Columbia, where it has heretofore been tolerated; fourthly, that slaves escaping or captured from disloyal masters in this civil war shall not be restored to slavery, but shall be free; and fifthly, that slaves so escaping or captured by the national forces shall be employed as laborers by them, and their dependent families shall be temporarily relieved by military and naval authorities of the United States. Many such persons have even already fallen within the control of the federal government. But it is believed no more than the provision thus made by the government, together with casual employment by private citizens, can establish them in comfortable circumstances useful to the country. Thus far, therefore, the surplus for whom you propose to provide does not exist, and hence probably the uncertainty of the public mind in regard to a disposition of it which I have described. It is a truism that most governments seldom, and republican governments least of all, practice sufficient foresight to provide prematurely for future but not imminent emergencies.

We shall grow wiser every year, every month, and every day, in regard to the questions I have been considering, because public opinion will settle and guide us as occasions for our action arise.

I close with remarking that the views you have so clearly expressed will be very useful to the country, and will therefore, at a convenient time, receive adequate publication; and the President, while declining at present to give you the authority you request, invites a continuance of your discussions, from the important position which you hold in a country whose condition is so suggestive of liberal and hopeful thought. He observes, with pleasure, that you are examining the subject under the influences, not of a blinding zeal, but of enlightened patriotism, as well as an earnest philanthropy, which are eminently calculated to inspire moderation into public councils.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James Watson Webb, Esq., *&c., &c., &c.*

Mr. Webb to Mr. Seward.

Legation of the United States,
Petropolis, July 5, 1862.

Sir: The English mail steamer Magdalena, from Southampton, due on the 2d instant, has not yet arrived; and as the mail for Europe closes at Rio tomorrow evening, I am compelled to post my letters to-night, and consequently have no later intelligence from home than was brought by the French steamer of the 25th of May, from Bordeaux. In my letter from Rio on the 27th, after the sailing of the last packet, I found here a despatch from the foreign office, which I enclose. Comments upon its contents are unnecessary. I promptly responded, in a manner which I hope will be deemed acceptable to the department, and I forward herewith a copy of my despatch.

I have the honor to be, very respectfully, your obedient servant.

J. WATSON WEBB.

Hon. William H. Seward,
Secretary of State of the United States.

[Translation.]

Department of Foreign Affairs.

The undersigned, of the council of his Majesty the Emperor, minister and secretary of state for foreign affairs, has before him the note which on the 7th of May last past Mr. James Watson Webb, envoy extraordinary and minister plenipotentiary of the United States, addressed to his predecessor, the councillor Benvenuto Auguste de Magalhaes Taques, enclosing copy of a despatch which he had received from his government, dated the 18th of March, upon the question relative to the admission of the steamer Sumter at the port of Maranham.

The undersigned has also before him the extract from another despatch of the 3d of April, sent by the same government, which Mr. Webb had the goodness to intrust to him on the 12th of the current month.

In view of the conclusions of the last of the despatches referred to from the government of the Union, the government of his Majesty the Emperor judges convenient to regard at an end the discussion of the subject it treats, it being flattering to observe that from it nothing has resulted in the least altering the relations of friendship and good understanding between the two countries which it so much interests both to maintain.

Thus replying to the note of Mr. Webb, the undersigned avails himself of the opportunity to reiterate to him the assurances of his high consideration.

MARQUIS D'ABRANTES.

Mr. James Watson Webb.

LEGATION OF THE UNITED STATES,
Petropolis, July, 1862.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has the honor to acknowledge the receipt from his excellency the Marquis d'Abrantes, councillor to his Imperial Majesty the Emperor, minister and secretary of state for foreign affairs, a despatch dated June 16, 1862.

In that despatch your excellency acknowledges the receipt by your predecessor of a copy of the despatch addressed to the undersigned by the Secretary of State of the United States, dated Washington, March 18, 1862; and also an extract from another despatch, dated April 3, 1862; and your excellency is pleased to say: "Having in view the conclusions of the last despatch from the United States government, the government of his Majesty the Emperor thinks it convenient to put an end to this discussion (relative to the protection and material aid rendered to the pirate *Sumter* by the president of Maranham, and the approval of his conduct by your predecessor) upon the aforesaid subject, it being flattering to observe that not the least alteration will result from it in the relations of *friendship* and *good understanding* between the two countries, and which both are so interested in maintaining."

The undersigned feels that he would not be acting with the frankness which has always characterized his correspondence with this government if he did not correct, however unpleasant the task, the conclusions to which your excellency has arrived as to the *feeling* which exists on the part of his government in regard to the official conduct of your predecessor and the administration of which he was the organ. And he deems it to be his duty to recall to the more careful attention of your excellency the despatches from Washington, the receipt of which is acknowledged.

In the despatch of the 18th of March, sent by the undersigned to your predecessor, the Secretary of State of the United States says that he laid the entire correspondence between the undersigned and your predecessor before the President, and under his direction recites our cause of grievance as follows:

"The government of Maranham allowed the *pirate* Sumter to enter that port, to receive shelter for an indefinite period, and to procure supplies by the purchase of coal and provisions in unlimited quantities. This was done when the *pirate*, prowling in South American waters, had committed depredations upon our commerce there. She used the supplies and provisions obtained at Maranham in making a voyage across the Atlantic, in which she renewed her depredations upon our merchant vessels. The Brazilian secretary of state seems to have had full and accurate knowledge of the character and proceedings of the *Sumter*, and yet he justifies the conduct of the governor of Maranham."

"I shall not affect to conceal that this decision seems to me to be inconsistent with the very friendly relations which have hitherto existed between Brazil and the United States, and is therefore in a high degree unsatisfactory."

Again: "It seems manifest to us that the insurrection which these foreign nations have so unnecessarily and injuriously recognized as a lawful war is already so rapidly shrinking from its first alarming proportions as to render it as easy as it would be just for Brazil to revise the decision which she has made.

"In the meantime, it is proper to remark that every maritime power which has recognized the insurgents as a belligerent, except Brazil, has, on the other hand, adopted stringent means to prevent the entrance of piratical vessels into their harbors, except in distress; and has forbidden their remaining there more than twenty-four hours, or receiving supplies which would enable them to renew depredations upon our commerce.

"The United States do not say that such measures on the part of Brazil would be satisfactory; nor can they consent to ask Brazil for less than the absolute exclusion of pirates from her harbors. Yet such measures, if adopted, would bring Brazil upon the same ground in relation to the United States which is occupied by other maritime powers, and thus would mitigate the discontent which you are authorized to express."

Here, as your excellency will perceive, is not only grave cause for complaint set forth, but a mode is pointed out in which the friendly feelings heretofore existing between the two countries can be restored, viz: by a simple act of justice, reversing the decision which Brazil has hastily made. If Brazil cannot meet the reasonable expectation of the government of the United States, then the Secretary of State, speaking in the name of the President and the government, claims at least, as a concession to the past friendly relations of the two countries, that Brazil will no longer occupy towards the United States a more unfriendly position than any other power; but, by following the example of other nations, place herself "on the same ground in relation to the United States which is occupied by other maritime powers, and thus mitigate the discontent" which it is made my duty to report to this government.

But this is not all. In a despatch from Washington, dated the 3d April, the undersigned is instructed to say to the government of his Imperial Majesty that the government of the United States, standing "upon the position heretofore assumed," declare "that the proceedings of the governor of Maranham *are intolerable;* and we cannot further debate at Rio, nor can we change the field of the discussion from that capital to Washington."

And how are these complaints, remonstrances, and friendly intimations to Brazil, from the government of the United States, received by the imperial government. Why the undersigned is called upon to apprise his government that Brazil has "put an end to this discussion upon the aforesaid subject," and is happy to perceive that "not the least alteration will result from it in the relations of friendship and good understanding between the countries."

Most assuredly these are not the results which the government of the United States promised itself when it ordered the undersigned to place before the government of Brazil the despatches of the 18th of March, and the very significant extract from that of the 3d of April; and while it is the duty of the undersigned to convey to his government an answer so very different from what he anticipated, self respect demands that he should not act as a mere automaton in the matter; and an earnest desire to restore and perpetuate the friendly relations which formerly existed between the two countries compels him to remind your excellency that so desirable a result cannot be obtained by utterly ignoring our complaints, by treating them as alike groundless and unmeaning, and by assuming that nothing has occurred to interrupt the good *feelings* or disturb the friendly relations between the two countries. The undersigned is grateful to a kind Providence that in what has occurred the existing friendly relations between the two governments have *not* been disturbed; but he is not unmindful that the good feelings upon which those friendly relations were based, and which is ever the best safeguard for their continuance, have been trifled with by the conduct of the governor of Maranham, and which conduct has been defended, sustained, and approved by your immediate predecessor, speaking in the name of the imperial government of Brazil. The government of the United States, for more than a year, has been actively engaged in putting down the greatest rebellion recorded in the history of the world. A civil war, which has called into the field more than a million of soldiers, and which imposed upon the government of the United States the raising and equipping of an army of seven hundred thousand men, and a fleet of nearly five hundred vessels, to do battle for our national existence, has called forth the energies and exhibited the resources of a mighty people; and yet, in the hour of greatest peril, our government has not hesitated to tell the nations of the world which have done her wrong, when resistance to such wrong was impossible, that "the United States will not debate with other states a question vital to its own existence," but content herself with pointing out the wrong done her, leaving for the present the expiation of such wrong and injury solely to the sense of justice and magnanimity of those who once styled themselves friends. Hence, as our Secretary of State justly says, "acting on this principle, we have brought to the notice of the Brazilian government the grievance committed against us by the president of Maranham. That government, instead of giving us redress, or taking measures to prevent a repetition of the grievance, has avowed and sustained it." Hence the undersigned is instructed to say to the Brazilian government "that while the United States cannot ask Brazil for less than the absolute exclusion of pirates from her harbors, yet standing, as she does, alone among nations, in the extent of her unfriendly attitude, if she would but place herself upon the same ground in relation to the United States which is occupied by other maritime powers, it would *mitigate* the discontent which you are authorized to express;" and as if foreseeing the failure of this appeal to the friendship and justice of Brazil, the undersigned is ordered to say, in conclusion, that "conscious of our ability to protect all our national rights, we neither importune nor menace any foreign state which may deem it fit to do us wrong; but so fast as every such case matures we determine, with what prudence and firmness we can, the course which the emergency requires."

Inasmuch as the government of the United States has definitively closed all further discussion of the affair of the pirate *Sumter*, either here or at Washington, nothing of the kind is intended in this despatch; its sole object being to point out to your excellency that, so far from nothing having occurred to disturb the good *feeling* upon which is based the friendly relations between the United States and Brazil, the whole course of your predecessor in relation to the visit of the pirate *Sumter* to Maranham, and the present attitude of Brazil towards the piratical vessels belonging to the rebel States and to our own national vessels, is considered by the government of Washington untenable, unjust, and "*intolerable*."

It is quite unnecessary for the undersigned to repeat his ardent desire to draw closer and render more permanent the relations between the United States and Brazil, and the establishment by them of an "American policy," in contradistinction to what is the recognized policy of Europe, as is being developed by interference with the internal affairs of *Mexico;* and he is pained to see all his efforts in this regard, and all the wishes of his government, set at naught by the perseverance of Brazil in a course declared by the government of Washington to be *more unfriendly* that that of any other foreign power; and by ignoring every fact, sentiment, and position taken in the Washington despatches of the 18th March and 3d of April, and utterly refusing to perceive or admit that the United States feels aggrieved by the conduct of Brazil, and confidently expects that she will not persevere in maintaining a position more unfriendly than that of any other maritime power. Adherence by Brazil to her present unfriendly attitude is deprecated by the undersigned, not because he believes such a course calculated to cause a disruption of the peaceful relations existing between the two countries; there exists no such danger. The government of the United States has demonstrated to the world that while struggling for its national existence against a gigantic rebellion it can submit with grace and a not unbecoming humility to the irritating assaults made upon it in the hour of adversity, whether they emanate from ancient enemies or professed friends. But nations, like individuals, while they frequently *forgive* injuries, do not always *forget* them. And it is because perseverance in her present course by Brazil may induce the people of the United States to forget the friendly feelings upon which the existing peaceful relations between the two countries are based that the policy of your predecessor is deprecated.

In conclusion, while the undersigned is grieved that there should be any necessity for reminding your excellency that his government does feel greatly aggrieved at the conduct of Brazil, and that there exists good cause for such feeling, he flatters himself that on becoming familiar with what has occurred in the department over which one so distinguished in the history of Brazil has been called upon by the public voice and the wisdom of the Emperor to preside, your excellency will recognize the propriety and justice of revising the action of your predecessor; and he is most happy to avail himself of this opportunity to renew to your excellency the expression of his personal regard and most distinguished consideration.

J. WATSON WEBB.

His Excellency the Marquis d'Abrantes,
Counsellor to his Imperial Majesty the Emperor,
Minister and Secretary of State for Foreign Affairs.

Mr. Webb to Mr. Seward.

Legation of the United States,
Petropolis, [No date.]

Sir: A few days after my last despatch the secretary of the Marquis d'Abrantes, a Greek of great learning and cleverness, who is a special favorite of the Emperor, and who is placed near the foreign secretary to relieve him from much of his duty, called at my lodgings in the city, and at once announced that he was sent to have an interview with me in relation to my last despatch. He conceded that the Marquis d'Abrantes had not understood or made himself familiar with the Sumter case when he wrote the despatch of which I complained; and what made it worse and peculiarly awkward for the marquis, who had authorized him to express in the warmest terms his personal friendship for me, as well as his friendship for the United States, was the unfortunate fact that he had just made a speech in the senate, in which he had used the identical language of the despatch.

He said he was authorized by the marquis to assure me, and that I was at liberty to say to you, that the removal of the governor of Maranham was solely and exclusively on account of his conduct in the affair of the Sumter, which should have been disclaimed at once. He said that in his judgment, and, he was happy to say, in the opinion of the Emperor and the marquis, Brazil is bound by every consideration of interest and safety to cultivate the closest relations with the United States, and is prepared to do so; and he begged that I would accept of these verbal explanations and assurances, to be repeated by the marquis in person, instead of a written reply to my note, to which I was justly entitled, but which would be exceedingly embarrassing.

I replied that to be content with a verbal reply was impossible; and I instanced the fact that Sr. Taques had agreed with me upon a mode of disposing of the *Sumter* case, which I had reported to my government, and which he had subsequently repudiated. I had resolved, therefore, not to be exposed to any similar contingency, although I well knew that the high character of the Marquis d'Abrantes rendered any such repudiation impossible. It was better, however, to have a rule upon the subject, and adhere to it; and I suggested that a despatch might be written which would, in a measure, meet the contingency, and relieve the marquis from his predicament. And inasmuch as he was authorized to assure me that this government could not comprehend wherein its position was different from that of the governments of Europe, the declaration of that fact in very precise terms would certainly be advisable, and could not be attended with any difficulty. Our conversation occupied more than an hour, and was very frank and free.

In the course of our conversation I brought up the question of our claims, and actually (in confidence) read to him my intended despatch insisting upon their settlement. And I permitted him to infer that the order to me to demand a settlement of the three long pending claims was an evidence of the soreness of our government in regard to the *Sumter* difficulty, and its grave determination not to be trifled with longer by this government.

On the following day I forwarded to the foreign office my demand for a settlement of our claims, a copy of which I enclose, marked No. 1, and I think you will admit it does not mince the matter. With this despatch before the secretary, he wrote his reply of the 24th instant to my troublesome despatch, denying that the conduct of Brazil had not affected injuriously the feelings of friendship so long existing between the two governments; and I look upon that document, the original of which I forward, marked No. 2, as being a virtual carrying out of my conversation with Calogeras. It might have been stronger, and less diplomatic; but as it is to be published in the very teeth of what the marquis said in the senate, I think it all we should demand. The assertion that "Brazil neither had nor has any intention to place itself in an *exceptional* position with the government of the Union," and that her position "is perfectly *identical* with that adopted by other maritime powers," is intended to cover all that portion of your just remonstrance.

I shall now wait to receive the action of the government upon our claims; and if, as I hope, it is prompt and favorable, I shall express verbally to the Marquis d'Abrantes my satisfaction with his reply, and hand him a copy of your despatch No. 26, dated May 9, although not instructed to do so. Its friendly tenor cannot fail to be acceptable.

I have the honor to be, very respectfully, your obedient servant,

J. WATSON WEBB.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States.

LEGATION OF THE UNITED STATES,
Petropolis, July, 1862.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has the honor to inform his excellency the Marquis d'Abrantes, counsellor to his Imperial Majesty, minister and secretary of state for foreign affairs, that he has been instructed by his government to call the attention of the government of Brazil to the long standing and much neglected claims of its citizens for reclamation in the cases of the bark Edna and the brigs Nebo and Caroline.

The case of the Nebo extends back to December, 1851, and its justice has been fully conceded by the government of Brazil.

The claim in case of the Caroline is founded on occurrences which took place in 1855, and the facts have been so clearly presented that the predecessor of the undersigned reported to his government the amount due would be promptly forthcoming.

The *barratry*, on the part of the captain, "in collusion with the judge municipal, under whose corrupt decree a sound and seaworthy vessel, with all her cargo in a good state of preservation, was fraudulently sold and sacrificed at auction, the master himself secretly becoming the purchaser with the knowledge of the Brazilian judge," was proved in the courts of Brazil, on the trial of the captain, *and a verdict was rendered accordingly.* Brazil admitted the claim, and, in December, 1859, the minister of foreign affairs informed Mr. Mead that the adjustment of the amount of the claim had been referred to the minister of justice, for his immediate action, and "a prompt reply" was promised.

After a lapse of nine months, that is, on the 26th September, 1860, Mr. Mead called attention to the fact that no attention had been paid by the Brazilian government to their pledge made nine months previously, and he earnestly pressed for action on the subject.

The case of the bark Edna also occurred in 1855, and a demand for redress was made by Mr. Mead also. No notice was taken of the demand for four years, although it was attended by circumstances of an aggravated nature, well calculated to cause the United States to doubt the friendship and the justice of Brazil. Mr. Mead finally succeeded in procuring a hearing and consideration of the case, and he was led to believe by this government that the claim was established and would be promptly liquidated.

But it appears by the records of the Department of State, at Washington, that every reasonable expectation formed by my predecessor upon the promises of the government of Brazil were erroneous; and, in consequence, on the 3d of May, 1861, in obedience to instructions, he addressed an earnest remonstrance to the Secretary of Foreign Affairs, from which the following is an extract:

"The undersigned hopes that his excellency the minister of foreign affairs, duly appreciating the patience manifested by the United States government towards that of Brazil, will now proceed promptly to consider and decide upon the three cases of the barks Nebo and Edna and the brig Caroline; the three together involving more than $100,000.

"It is not the intention of the undersigned to argue these cases further. He contents himself with the notes already addressed to the Brazilian government, some of which, *though written more than a year ago, have never been replied to.* This delay has sometimes given rise to the suggestion that it may not be the *purpose* of the Brazilian government to take further notice of them. Such a thought, however, is so repugnant to the preconceptions entertained of Brazilian courtesy, and to the very friendly relations that have always subsisted between the two governments, that it was suffered to abide but a very short time in the breast of the undersigned. He now calls the attention of his excellency again to these questions, in the full confidence that they will be speedily attended to and finally settled. No additional lights can be thrown upon a subject that has been under examination and discussed for periods of six and eight (and ten) years."

And previous to Mr. Mead's leaving this country, in July last, he reported to the government of the United States that although the principles involved in the claims of the Nebo, Edina, and Caroline, had been acknowledged, and in the two former cases inadequate compensation had been *offered* and declined, he despaired of any favorable action. And he added, "*I am apprehensive that little attention will now be given to them. Until our own government is in a more settled condition, we may scarcely expect this to give itself much concern about our demands upon it.*"

The undersigned is reminded by his government that the earnest appeal to the justice and friendship of the Brazilian government, made by his predecessor *more than fourteen months ago*, was not responded to, and to this day has been treated with studied neglect. It is not for the undersigned to assume that the cause for such neglect is to be found in the internal difficulties existing in the United States. Such an inference would be insulting to his own government and exceedingly offensive to that of Brazil; and if his predecessor had not been in sympathy with those in rebellion against the government of the United States he could not have entertained such a sentiment without demanding the immediate settlement of our long pending claims or closing his mission at a court which could thus trifle with the government he represented. It is no part of the intention of the undersigned, therefore, to look for the causes of delay on the part of the Brazilian goverment to do justice to the claims of citizens of the United States which have been pressed upon its consideration from seven to twelve years past; but he is instructed by his government once again to call the attention of the government of his Imperial Majesty to the fact that the government of the United States, in the discharge of its duties, must insist upon an earnest consideration and early settlement of the claims of its citizens in the case of the Nebo, which has now been under consideration nearly *eleven* years, and in the cases of the Edna and Caroline, which have been pending some *seven* years. Further delay would virtually amount to a denial of justice, and it would better become the dignity of both governments that such denial of justice should be frank and specific than that these claims should be considered "pending," after their merits have been discussed and conceded. The claimants have a right to be clamorous for their settlement, and they are, in the opinion of the undersigned, quite justifiable in saying to him, as they recently have, "if our government will not protect us in our just claims against foreign governments, then let them pay our claims out of the national treasury. Let it be just to its own citizens, even if it be not able to induce other powers to respect its nationality." The undersigned is quite certain that whatever may have been the causes operating upon the Brazilian government to induce it to treat with *apparent* neglect, if not contempt, the most urgent appeals of our government for a settlement of the claims referred to, they cannot be founded in any want of respect for the government or people of the United States; and while the extraordinary delay to act in the cases of the Nebo, the Edna, and the Caroline, during a period of from seven to twelve years, has virtually amounted to a denial of justice and caused the government of the United States to be censured by those whom it was instituted to protect, other causes than want of respect for the United States have doubtless produced this strange and unprecedented state of affairs.

The undersigned, therefore, indulges the hope that in reporting to his government that he has obeyed its instructions, and pointed out to Brazil the long suffering of our citizens and the forbearance and patience of the government of the United States, he will be authorized by your excellency to add that the causes for delay in the settlement of our claims, whatever they may have been, have ceased, and that they will be promptly and satisfactorily adjusted. And he avails himself of this occasion to convey to the secretary of foreign affairs the renewed assurances of his great personal regard and most distinguished consideration.

J. WATSON WEBB.

His Excellency the Marquis D'Abrantes,
Counsellor to his Imperial Majesty, Minister and
Secretary of State for Foreign Affairs.

[Translation.]

Central Division—No. 2.

Ministry of Foreign Affairs,
Rio de Janeiro, July 24, 1862.

The undersigned, of the council of his Majesty the Emperor, minister and secretary of state of foreign affairs, has before him the note which, under date of the 3d instant, Mr. James Watson Webb, envoy extraordinary and minister plenipotentiary of the United States of North America at this court, has done him the honor to address to him.

The subject of the note referred to is the late period of that which, under date of the 16th of last month, the undersigned sent to Mr. Webb in relation to the Sumter question, declaring that, in view of the conclusions of the late despatches from the government of the Union, the imperial government deemed it proper to put an end to the discussion, it being flattering to it to observe that out of this would not result the slightest disturbance of the relations of friendship and good understanding between the two countries which both have so much interest in maintaining.

Alluding to the last-mentioned despatches from his government, and briefly calling to mind all that has taken place in regard to the matter in question, Mr. Webb concludes by saying that the reply which I had the honor to send to him does not seem to him to be in harmony with the state in which the discussion of this affair has remained.

The undersigned will not conceal from Mr. Webb that the imperial government has experienced the greatest sorrow, and at the same time the greatest surprise, in learning that the government of the Union, since the frank explanations which were given to it, still discovers hostility in the proceeding which the president of the province of Maranham had with the ship Sumpter of the Confederate States.

And because it does not in any way desire that the discussion of such a disagreeable subject should be renewed, the undersigned will only give to this note, in reply to that from Mr. Webb, the exclusive purpose of declaring that the government of his Majesty the Emperor has always entertained, and now entertains, the strong conviction that the president of the province of Maranham has never had the slightest intention of favoring the secessionist States, and still less of being unfriendly or hostile to the government of the Union.

This was the ground, and there could be no other, of the discussion which the imperial government maintained; and it was on this account that, conscious of the sincerity of its intentions, and persuaded that that sincerity would be comprehended by the government of the Union, it hesitated not in considering the discussion at an end, flattering itself that out of this would not result the slightest disturbance of the relations of friendship and good understanding subsisting between the two countries.

To what has been stated the undersigned will merely ask Mr. Webb's permission to add that the principles of neutrality adopted and followed by the imperial government in the contest of which the North American Union is the theatre are those which are laid down in the note from this ministry addressed to Mr. Webb on the 23d of January of the present year, and in the circular of the 1st of August of last year, issued by said ministry to the delegates of the imperial government in the provinces.

These principles being perfectly identical with those which are adopted and followed by other maritime powers, and having to be scrupulously carried into effect, it becomes evident that Brazil has had no intention of placing herself in an exceptional position towards the government of the Union in the deplorable contest in which it is engaged.

In the hope that these explanations will satisfy Mr. Webb, the undersigned avails himself of the opportunity to reiterate to him the assurances of his high consideration.

MARQUIS D'ABRANTES.

Mr. JAMES WATSON WEBB

Mr. Webb to Mr. Seward.

No. 22.] LEGATION OF THE UNITED STATES,
Petropolis, August 23, 1862.

SIR: * * * * * * * *

The case of the four rebel vessels in the port of Rio Janeiro has already been brought to your notice, both by the consul and myself, but as yet no instructions have reached me or the consulate in regard to them. The agent of the owners and the consignees having been foiled in their first movement, inaugurated another which will be brought to a close to-day. On the plea of indebtedness contracted to a citizen of Brazil, they obtained a decree for the sale of these vessels this day. The decree was not published until the 19th, and on the following morning I addressed to the foreign office a despatch, a copy of which is enclosed, marked No. 1, and to the acting consul the instructions marked No. 2. There will not be time to report the result by this steamer, but I feel a conviction that the sale will be suspended.

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I have the honor to be, very respectfully, your obedient servant,
J. WATSON WEBB.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure No. 1.]

LEGATION OF THE UNITED STATES,
Petropolis, August 20, 1862.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, feels it incumbent on him to call the attention of his excellency the Marquis d'Abrantes to a fraudulent attempt of certain parties to change the flag of certain vessels belonging to subjects of the United States, contrary to the laws of the government of the United States regulating the mode in which the flag of the government may be transferred in foreign ports to another nationality, by becoming the property of citizens of the same. The law of the United States provides that an American vessel can only be sold in a foreign port in the presence of, and with the assent in writing of the United States consul; and it prohibits his giving such assent until a power of attorney from the owners, duly executed before the proper tribunals, shall have been filed at the consulate authorizing such a transfer of property; and unless the conditions of said law are fully complied with, it is made the duty of the consul to withhold from any vessel so attempted to be transferred, even to citizens of the United States, the necessary papers to insure her departure from the foreign port in which she happens to be at the time of the contemplated transfer. And it is utterly impossible, by any fraudulent proceeding in the ports of foreign powers, to change the nationality of an American vessel and transfer her to another flag, except in accordance with the law under which she is licensed to sail, and which gives her the protection of its flag. An attempt to do so demands the interference of the representative of the country whose flag is about being fraudulently diverted from the protection of American property in violation of American laws; and such representative being powerless to prevent such a fraudulent procedure *per se*, has a right to demand of the government to which he is accredited the interposition of its authority to protect the international rights of his government in foreign ports.

There are now lying in the port of Rio Janeiro four vessels belonging to citizens of the United States, who are in rebellion against the laws and institutions of their country, and whose property is liable to confiscation as traitors. These vessels, however, sailing with American papers, and under the flag of the United States, and for the time being lying in the port of Rio Janeiro, cannot be seized in said port; although having no existence, except as American bottoms with American registers, and protected by the American flag, they are in conformity with international law subject to the laws and regulations of the country to which they belong. Conscious of this well established fact, their owners, some months since, sent to Rio Janeiro an agent to sell said vessels to whomsoever might be disposed to purchase them, and an advertisement accordingly appeared in a public newspaper offering them for sale at public auction. The consul of the United States therefore, by direction of the undersigned, caused a notice to be published in the said newspaper, and to be read to the public at the time of sale, setting forth that any such sale would be illegal and void, because, according to the laws of the United States, no transfer of an American vessel can be made in a foreign port, except in the presence of and with the consent of the consul. The sale progressed, and it was pretended that the vessels were regularly sold to an actual and *bona fide* purchaser. This pretence, however, resorted to to cover an attempted fraud, was shortly abandoned, and the agent of the rebel owners presented himself at the United States consulate with a power of attorney, which he claimed to have filed in the office, and demanded that the consul should give his sanction to another and legal sale. His papers were discovered to bear upon their face evidence that they had been executed in a *foreign* country unknown to the officials of the United States, and before parties not recognizing allegiance to the United States, and therefore the United States consul, with the approbation and by the advice and direction of the undersigned, refused to recognize such power of attorney, or to give his sanction to the sale and transfer of the said vessels.

Since then it has come to the knowledge of the undersigned that it was the intention of the agent of the rebel owners to permit the vessels referred to to contract debts to Brazilian citizens, then obtain judgments against them, and a decree for their sale, and thus fraudulently transfer them to British subjects, and take them out of the port of Rio Janeiro under the flag of England; the whole proceeding being under the directions of an English mercantile house who have the vessels in charge. This game, fraudulent alike in its conception and progress, has, it appears, been fully played out; and in the face of the United States consul's public notice that he would not consent to any sale of said vessels, and in the face of the public and notorious fact that a public sale of these vessels at auction was made and abandoned, because no legal title could be given for them to the purchaser without the consent of the United States consul, it is *pretended* that debts have been contracted by the vessels, and a judge of a Brazilian court has been found ready to decree the sale of said vessels at public auction on the 23d of the present month of August, that is, on Saturday next. This decree bears date the second day of August, but it only came to the knowledge of the undersigned on the night of yesterday, the 19th instant, a copy of which is hereby forwarded.

The undersigned does not pretend to know what is the Brazilian law in the premises; but he *protests* most solemnly against this most flagrant attempt under *color*, but not with the sanction of the Brazilian authority, to withdraw four American vessels from under the flag of the United States and to transfer them to another nationality. If any merchant or other inhabitant of Rio Janeiro had innocently given a credit to these vessels, the fact of having done so could not militate against the jurisdiction of the United States in the matter; but it must be obvious that the alleged indebtedness, which it is susceptible of proof *does not exist*, (because the amount for freight received on their cargoes to this port, now in the hands of their consignees, exceeds five-fold any expenses they may have incurred,) is a mere fiction, and designed to cover a contemplated fraud; and therefore under no circumstances is it entitled to consideration in a Brazilian court of justice. But even were it otherwise, and the claim ever so just, the laws of the United States are paramount in the premises. The vessels could not be here, because they would be without a nationality, but that they possess American registers, and are enrolled under and protected by the United States flag. These registers are given and the protection of the American flag is afforded them, on condition that they comply in all respects with the laws of the United States. Those laws, as the people of Rio Janeiro have been publicly informed, *prohibit* any sale of the vessels publicly or privately, for debt or otherwise, except in the presence, and with the sanction of the United States consul. And consequently, if a *bona fide* credit had been given the vessels, it would have been at the peril of the party giving it, because it is absurd to claim that by such credit, whether *bona fide* or fraudulent, the laws of the United States in relation to its commercial marine could be set aside by an extrajudicial proceeding in a foreign court, and its flag pulled down and a foreign flag hoisted in its place over every American ship which visits a port of Brazil whenever it may suit her consignees to despoil our commercial marine of its ships, through a fraudulent connivance with those interested in consummating a fraud. If the flag of the Union cannot protect American shipping in Brazilian ports, and if the laws of the United States in regard to its commercial marine cannot be longer respected by the subordinate authorities of Rio Janeiro, in the opinion of the undersigned it becomes the duty, as he is certain it will be the pleasure, of the imperial government to interpose and compel those authorities to recognize their subserviency to the international law. It is idle to quote any previous practice in such a case as is now presented for consideration. These vessels, *as property,* have no existence but from their official papers, and the permission to sail under and enjoy the protection of the American flag. As a condition of the vitality thus created and the protection thus afforded, they are compelled to regard, and be subservient to, the laws of the United States. Those laws prescribe in what manner such property may be transferred in a foreign port; and yet we have presented the spectacle of a subordinate court of Brazil loaning itself to a fraudulent attempt to violate the laws and dishonor the flag of the United States.

The undersigned, therefore, feels assured that, however unpleasant the task of complaining of the local courts of Rio Janeiro, it is only necessary to appeal to the justice of the imperial government, and to call its attention to the *fraud* about being perpetrated, and to serious complications which may arise from its being consummated, to induce a prompt interference by those whose duty it is to frown down any such proceeding, as grossly unjust as well as criminal, and at war with the friendly relations existing between the United States and Brazil. He, therefore, protests most earnestly against the proposed outrage upon the flag and the laws of the United States, and calls upon the authorities to prevent it, *either by suspending the action of the court in relation to the sale of these vessels, or by a notice at the place and time of sale, that they will not now, or at any future time, be permitted to clear from the port of Rio Janeiro, except under the flag and with the papers of the United States, unless transferred from their present ownership with the sanction and in the presence of the consul of the United States.*

The undersigned avails himself of this occasion to renew to his excellency the distinguished minister of foreign affairs the assurances of his cordial esteem and most profound consideration.

J. WATSON WEBB.

His Excellency the MARQUIS D'ABRANTES,
Counsellor of his Imperial Majesty, Minister and
Secretary of State for Foreign Affairs.

[Enclosure No. 2.]

LEGATION OF THE UNITED STATES,
Petropolis, August 20, 1862.

SIR: Your note of yesterday reached me at 7 p. m., and I have this day addressed to the minister of foreign affairs a formal *protest* against the sale of the vessels, a copy of which I enclose.

I also annex for your adoption a notice and protest, to be read by you to the public at the time of sale, if there should be no action by the government either forbidding the sale or making it subject to the conditions set forth in my despatch of this date. You will, of course, translate your protest into Portuguese, and abstain from mentioning to any person what course you intend to pursue, or whether it is considered incumbent upon you to take any further action in the premises; and at the time of sale you will wait patiently to see whether proceedings will not be stayed altogether, or the transfer of the ships be made subject to the conditions named by me. In either event you will have nothing further to do. But should the sale be about to proceed without any such notice from the government, you will then read to the auctioneer and public in attendance the following protest and notice:

"You, Mr. Auctioneer, and you gentlemen in attendance on the advertised sale of the American vessels Abigail, Ann E. Grant, Virginia, and Fanny Crenshaw, will please to take notice that I, F. A. Cordeiro, acting consul of the United States, am instructed by the envoy extraordinary and minister plenipotentiary from the United States near the court of his Imperial Majesty the Emperor of Brazil to protest against the sale of said vessels under any decree of any court whatever, made in violation of the laws of the United States regulating the manner in which merchant vessels belonging to citizens of the United States, and sailing with American papers under the protection of the United States flag, may be disposed of and transferred to new owners in a foreign port. And I accordingly hereby formally *protest* against any sale of said vessels, under any proceeding whatever, which is not in conformity with the laws of the United States. And I hereby notify all interested, or who may become interested in the matter, that no legal transfer of said vessels can be made without my sanction, or the sanction of the American minister, under whose authority I am acting as consul of the United States for the port of Rio Janeiro.

"F. A. CORDEIRO,
"*Acting Consul of the United States.*"

I also enclose to you my despatch to the Marquis d'Abrantes, the secretary of foreign affairs, which you will make it your special business, without any unnecessary delay whatever, to place in his hands, or in the hands of the under secretary *d'Azembuja*, in order that there may be no mistake hereafter in regard to its actual delivery, and the precise time of its delivery. And you will make it your business, on delivering the despatch, to name to the party receiving it its general purport, and the brief time allowed for interference, in consequence of no notice having been furnished to either the consul or minister of the United States of any such decree having been obtained for the sale of the American vessels, and the time when and circumstances under which you became informed of the existence of any such proceedings. And you will promptly note the time of delivering my despatch at the foreign office, and the conversation held with the party receiving it, and report the same to me without delay.

I have the honor to be, very respectfully, your obedient servant.

J. WATSON WEBB.

F. A. CORDEIRO, Esq.

Mr. Webb to Mr. Seward

[Extract.]

No. 24.] Legation of the United States,
Rio Janeiro, September 7, 1862.

Sir: I have to report that in response to my despatch the government promptly suspended all action in the sale of the four rebel vessels; but I look upon that action as only a temporary measure.

I have the honor to be, very respectfully, your obedient servant,

J. WATSON WEBB.

Hon. William H. Seward,
Secretary of State of the United States.

Mr. Seward to Mr. Webb.

No. 38.] Department of State,
Washington, September 27, 1862.

Sir: A despatch was received from you on the 19th instant, which, from attending circumstances, I assume was written in July last, but which I am unable to identify, as it bears neither a number nor a date.

Your remarks on the general aspect of political affairs at home are spirited and just. Of course I must speak with some reserve concerning those in which you discuss the probable dispositions, purposes, and feelings of some of the maritime powers in regard to our unhappy civil war.

You will accept my thanks for them, with an assurance that they shall not be overlooked.

The law of compensation, which makes reaction always follow effort and which measures progress, by the balance between advance and retreat applies as well in war as in peace. We had a series of brilliant and most effective victories during the months of February, March, April, May, and June. On the first of July we incurred a failure at Richmond, which was followed by considerable reverses during that month and the following months. This change in the tide of the war produced some popular consternation and alarm. Our new levies, however, began to come in about the first of September, and we have since that time been able to meet successfully an invasion of the loyal States, which was projected with much deliberation by the insurgents during the summer, and assumed a menacing form with the opening of the autumn. None of our really important positions have been lost, and we expect soon to resume aggressive movements with vigor and effect.

The note of the Marquis d'Abrantes has been considered, and it is not thought necessary to dwell longer upon the unfortunate event which it recalls. If nothing new occurs to disturb our intercourse with Brazil, the past may be forgotten. On the other hand, you will be watchful against any further disregard of our national rights.

The present would be an unpropitious time to give prominence even to just private claims upon foreign governments. While you have acted wisely in bringing the claims of our citizens against Brazil to the remembrance of the government there, you will be careful not to press them, without further instructions, to a point where an issue must be made upon the refusal to adjust them.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James Watson Webb, Esq., *&c.*, *&c.*, *&c.*

MEXICO.

Mr. Corwin to Mr. Seward.

No. 17.] LEGATION OF THE UNITED STATES OF AMERICA,
Mexico, February 22, 1862.

SIR: * * * * * * * * * * * *

The president has this moment sent the "oficial mayor" of the state department to inform me that the preliminary treaty alluded to in my despatch (No. 16) has been signed—embracing the three propositions named in that despatch. It is further stipulated that the allied troops may remove their encampment from the sickly climate of Vera Cruz, and establish themselves in Orizaba, Cordova, and Tehuacan; and as soon as they leave their encampment at Vera Cruz, the Mexican flag shall be hoisted there, and Mexican jurisdiction restored. The commissioners of the three powers are to meet the commissioners of Mexico, at Orizaba, to arrange definite treaties with each of them. Thus the European intervention, with a small degree of prudence on the part of Mexico, will end in entire satisfaction of all foreign claims, and produce substantial good to this country.

THOMAS CORWIN.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States, Washington

R. Preciat to N. L. Wilson.

A, with No. 17.] UNITED STATES CONSULATE,
Campeche, January 9, 1862.

SIR: I had the honor on the fifth of this month to receive your official note as consul of the United States in the city of Tabasco, informing me of your desire of being acquainted with anything that may happen in this port relative to the southern vessels that can have any commercial operations against the government which we both serve. I feel it my duty, sir, in this intelligence, to inform you that we have only had in our port (since the south and north are divided) one small schooner, the Lizzie Mezik, arriving in a very bad state, and having lost at sea one mast, bringing, nevertheless, the whole of her cargo. I could not have any kind of intervention in this affair.

The government of this state disposed, at petition of the captain, of said schooner, that the whole cargo should be transported off on a Mexican schooner, the Amita, which has sailed for Havana a few days ago. Said schooner sailed from Mobile with direction to Havana, but was obliged, as I have said before, to arrive at this port on account of the bad state of the vessel. She still lays in our port, and bears the flag of the southern confederation.

It will be with the greatest pleasure, sir, that I will keep a constant correspondence with you, and I hope you will honor me at every opportunity with some of the commercial and political affairs of Tabasco.

I am, sir, yours, very respectfully,

R. PRECIAT,
United States Consul.

N. L. WILSON, Esq.,
United States Consul, Tabasco.

Mr. Corwin to Mr. Seward.

No. 18.] LEGATION OF THE UNITED STATES OF AMERICA,
Mexico, March 20, 1862.

SIR: Yesterday I received your despatch No. 37. The first of the two conditions upon which a loan may be made, as set forth in your despatch, I have reason to fear will be very difficult of arrangement.

I have understood that both France and England have declined to accept our proffered guarantee, alleging as a reason that they deem it improper to complicate their Mexican affairs with those of any other government. Acting on this state of fact, the Mexican government proposed to me that they could afford to part with enough of their revenue to secure the interest on their foreign debt, provided when this was done they could be sure of the aid of our credit to them of a given sum, to be paid in such payments as the exigencies of their government might require. With a view to comply with their request, and at the same time to get rid of intervention by the allies, I so arranged the treaty (a copy of which I sent to the department) that the whole amount to be loaned should be paid to Mexico at such times and in such amounts as to avoid the probability of a bad use being made of these funds. The payments would have been so small that the actual and proper necessities of the government would absorb them. But I shall await the action of the Senate before I agree to any proposition that may be submitted to me.

As you will have seen a preliminary treaty has been made, a copy of the articles is herewith enclosed. I have the strongest assurances that the English and Spanish commissioners are determined to "adhere to the text of the triple treaty," and the copy of the preliminary arrangement seems to give proof of the sincerity of this declaration. But while I rely strongly on these assurances, coupled with the acts of the commissioners to which I refer, I cannot understand how these friendly acts consist with the sending of 6,000 additional troops here after the Emperor has been, or might have been, fully informed of all that has been done or said here. It is possibly capable of explanation upon the supposition that a better treaty for France may be made in the presence of these troops than could be obtained in their absence.

Thus far not a hostile gun has been fired; and the troops now here are quartered in healthy positions, and are said to be the guests of Mexico. Negotiations are to open at Orizaba on the fifteenth of April. It will be easy to know the ultimate end of this enterprise when the propositions of the allies, in detail, are submitted. It is not improbable that the recent northern victories may have some influence in mitigating the rigorous demands of Spain, and perhaps of France also. I speak from a very careful investigation made by myself, when I say that the money demands of England are in the main, if not altogether, just. I am not surprised that her patience is exhausted. Those of France are comparatively small, very small, so far as they arise out of previous treaties; and those dependant on claims of more recent date, and not included in former treaties, are, as presented, so enormously unjust as to be totally inadmissable as to the amounts claimed. The treaty with Spain made by General Almonte is said to be an outrageous fraud, but I know nothing of the facts except from report—too vague to be relied on All these are now to undergo a scrutiny, which I hope may end in a reasonably just arrangement.

* * * * * * * * * * * *

I shall write more fully by the courier, *via* Vera Cruz, who leaves on the 25th instant.

I am your obedient servant,

THOS. CORWIN.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States, Washington, D. C.

[Translation.]

Señor Teran to the governors of the several States of Mexico.

To the citizen governor of the state of ——— :

I have the honor to enclose to you a copy of the preliminary stipulations signed by the citizen Manuel Doblado, minister of foreign relations, and by the commissioners of the allied powers, and which have been this day approved by the citizen president of the republic.

The commissioners of said powers, in view of the circumstances of the country, and of the explanations given by the government respecting its resources, its strength, and the stability which assure to it the consummation of the reform made in all nations at the expense of sacrifices more sanguinary and lasting than those which it has cost the republic, but the more solid basis among all of them of its stability, peace, and prosperity, have comprehended that the subjects of their governments do not need the support of force to enjoy the guarantees which treaties insure them, and, keeping aloof from the internal policy of the nation, will be content to treat upon the pending claims and existing differences between said powers and the republic.

As the constitutional government is willing to satisfy these claims to the extent that justice requires, and hopes that said powers will place a like limit to their demands, it flatters itself that all the foreign questions of the republic will obtain a prompt and satisfactory adjustment. After this it will be enabled to devote itself exclusively to put a stop to the few remaining causes of misunderstanding and disorder which the recent glorious war of reform has left behind it; and, by securing more and more the security and welfare of both citizens and foreigners, it hopes the era of prosperity will dawn in the republic which everywhere has followed the reform.

The citizen president, whose faith in the destiny of the nation has never faltered, confides in that you and all the inhabitants of your state will sustain him, by seeing that foreigners shall enjoy complete security in their persons and property, and that the public spirit may be sustained, as heretofore, firm and resolute, in the event, which he does not anticipate, that an amicable settlement of the questions about to be discussed should not be realized.

I renew to you my esteem and consideration.

God and liberty! Mexico, February 23, 1862.

TERAN.

[Translation.]

Preliminaries agreed upon between the Count de Reus and the minister of foreign affairs of the Mexican republic.

1st. Inasmuch as the constitutional government, which actually governs throughout the Mexican republic, has manifested to the commissioners of the allied powers that it does not need the assistance which they have so generously offered to the Mexican people, it having within itself the elements of power and public opinion to sustain itself against any intestine revolution, the allies immediately enter upon the ground of treaties to draw up all the claims which they have to present in the name of their respective nations.

2d. To that end, and the representatives of the allied powers protesting, as they do protest, that they do not attempt anything against the independence, sovereignty, and integrity of the territory of the republic, the negotiations will be opened at Orizaba, to which city the commissioners will repair, and also two of the ministers of the government of the republic, excepting in the case that, by mutual consent, it should be agreed upon to appoint representatives delegated by both parties.

3d. During the negotiations the forces of the allied powers shall occupy the three towns of Cordoba, Orizaba, and Tehuacan, with their natural radii.

4th. In order that it may not, even in the most remote manner, be believed that the allies have signed these preliminaries in order to procure for themselves the passage of the fortified positions which the Mexican army holds, it is stipulated that, in the unfortunate event of the breaking off of the negotiations, the forces of the allies shall withdraw from the aforesaid towns, and will again occupy the line which is in front of said fortifications in the direction of Vera Cruz, the principal extreme points being those of the Paso Ancho, on the Cordoba road, and the Paso de Ovejas, on the Jalapa road.

5th. Should the unfortunate event occur of the breaking off of the negotiations and of the withdrawal of the allied forces to the line indicated in the preceding article, the hospitals which the allies may have there shall remain under the safeguard of the Mexican nation.

6th. On the day on which the allied forces shall commence their march to occupy the points mentioned in article 2d the Mexican flag shall be raised in the city of Vera Cruz and upon the castle of San Juan de Ulloa.

La Soledad, nineteenth of February, one thousand eight hundred and sixty-two.

EL CONDE DE REUS.
MANUEL DOBLADO.

Approved. C. LENNOX WYCKE.
Approved. HUGH DUNLOP.

The above preliminaries are approved.

A. DE SALIGNY.

The above preliminaries are approved.

E. JURIEN.

MEXICO, *February* 23, 1862.

I approve these preliminaries, in virtue of the ample powers with which I am invested.

BENITO JUAREZ,
President of the Republic,
JESUS TERAN,
Minister of Foreign and Home Affairs.

Mr. Corwin to Mr. Seward.

No. 19.] LEGATION OF THE UNITED STATES OF AMERICA.
Mexico, March 24, 1862.

SIR: I avail myself of the kindness of Dr. Bennet, who leaves at four o'clock to-morrow morning, to advise you of the present state of affairs here.

The allies are encamped in healthy positions on the table-land between Vera Cruz and Mexico. When the additional French troops arrive they will have in this country from fifteen to twenty thousand troops.

The conditions upon which I am instructed to aid Mexico will forbid me to do anything which Mexico can accept, for the following reasons: First. If (as I am instructed) the allies are to be satisfied and leave, before the desired aid is given, the public lands and church property will have to be given to them as security for the performance of treaty stipulations, so that the United States *then* would have no security for any loan of either her credit or money, and I have not yet been authorized to advance either money or credit upon the national faith of Mexico. Secondly. Mexico wants money *now*, pending negotiations with the allies.

These allies have said they come here to establish order and restore peace. They wait only for a plausible reason, or perhaps a pretext, to interpose their armies on one side or the other. Since they landed, the various insurrectionary chiefs have united all their forces, numbering about three thousand men. They are said now to be at Yguala, about two hundred and fifty miles from this city. To subdue these guerrillas effectually, men, and consequently money, are wanted; and this money cannot be raised here without resorting to forced loans, and the fear of this has caused those having money, for the last two years, to send their money and effects out of the reach of the government. If, then, this fragment of the church party is not put down very soon, it is feared France, and perhaps Spain, will unite in restoring it to power, and their reason given to the world will be that peace must be given to disturbed Mexico, and this was their mission.

If Mexico were able now to keep up her forces on the line to Vera Cruz, and pursue the united forces of the church party with effect, then the allies nor either of them could have no apology for armed interference.

My fear is that if the allies ever take the field to establish a government here that Mexico will henceforth be a European colony in fact. If they should, by treaty, get control of all the public lands, the same effect will, though not certainly, yet probably, follow.

We have a rumor here that New Orleans has surrendered to the north. I fear it is not true, though from intelligence recently received here from the armies of the west I had hoped New Orleans would soon be in our hands.

I remain your obedient servant,

THOS. CORWIN.

Hon. William H. Seward,
Secretary of State of the United States, Washington, D. C.

Mr. Corwin to Mr. Seward.

No. 20.] Legation of the United States of America,
Mexico, March 28, 1862.

Sir: The monthly British courier offers a safe conveyance to Vera Cruz, of which I avail myself to advise the department of passing events here.

Since my last despatch a dispute has arisen between the allies and Mexico, concerning the possession of the custom-house at Vera Cruz, and the disposition of the revenue accruing there. Unfortunately, nothing was said or agreed on touching this point in the preliminary treaty, a copy of which I sent some time since to the department. Two commissioners on the part of Mexico, a week ago, went to Orizaba, to meet Sir C. Wycke and General Prim, to endeavor to arrange this matter. I have this moment learned by telegraph from Puebla that the commissioners are on their return to Mexico, having arranged this question to the entire satisfaction of all parties.

Another matter threatening disturbance of friendly feeling is a tax of two per cent. on all capital, including foreigners, recently levied. All foreigners here seem to think that property owned by them is to pay no taxes, especially if they can make out plausibly that such tax is, in their own favorite phrase, an "extraordinary tax." The British, Prussian, and French ministers, object to this tax, and write angrily and vehemently to their fellow subjects here, as well as to the government, against it. I have thought it my duty to hold a different opinion on the subject, and wrote to the American consul at Acapulco (at his request) an opinion, giving also to American citizens here the same opinion. I send herewith copies of my correspondence with the consul at Acapulco. As the arguments of the other foreign ministers on this subject had been published by themselves, at the earnest request of the minister of foreign affairs, I allowed the government to publish my opinion given to American citizens resident here.

I hope the course I have judged it proper to take in this business may meet the approval of your department. It has brought upon me the universal censure of all foreign residents here, including our own Americans, who, with few exceptions, look upon Mexico as a place wherein to make their fortunes as rapidly as possible, and carry them to some other country as soon as possible.

The minister of foreign affairs here expressed much regret that my instructions in your despatch No. 37 were so stringent in regard to the terms on which a loan could be had from the United States. This government wants money now more than it probably will a year or two hence. Its great effort now is to show the allies that they are able to crush out the remnant of the reactionary bands that still roam over the country, dashing into the more fruitful and well cultivated portions of it unexpectedly, robbing and assassinating wherever they go, for a brief time, and then suddenly retreating to some of the inaccessible mountain holds which abound in this country. The reactionary chiefs yet remaining, aware of this necessity of the government, recently united all their forces, numbering about three thousand. An expedition was set on foot by the government designed to surround and capture or kill this entire force. Five thousand men were assembled for this purpose, and I know they were detained here for a whole week, for want of funds to feed them on their march. The requisite amount was only obtained five days since, by a forced loan. During this time the minister of foreign relations frequently assured me he could raise this money from capitalists here readily, if he could assure them that a loan of a few millions was to be expected from the United States. It is quite impossible for any one, not having the knowledge which I have acquired by one year's close observation, to estimate the depth to which the exhausted resources of this country has fallen by forty years of civil war, and our own invasion and conquests in 1847 and 1848. Now when three powerful nations are here, threatening to precipitate half of Europe upon them unless they treat on terms such as they dictate, Mexico, with all her faults and follies, is an object of sympathy to all who regret to see weakness trampled in the dust by strength. I do not believe that some of the allies intend to deal harshly with Mexico, but I am not satisfied that this is either the feeling or intention of one at least of the three powers. More light will be thrown upon the point by the events of the next month.

I have the honor to be your obedient servant,

THOMAS CORWIN.

Hon. WM. H. SEWARD,
Secretary of State of the United States, Washington, D. C.

Mr. Van Brunt to Mr. Corwin.

C 1, with No. 20.] CONSULATE OF THE UNITED STATES OF AMERICA,
Acapulco, February 26, 1862.

SIR: There has been published at this port a decree of the general government of Mexico, authorizing a tax of two per cent. on all property, whether native or foreign.

I send an especial courier to know your opinion on the same for my guidance, as I shall be called upon by citizens of the United States for protection in case the tax be enforced, which has not been at the present writing, but I have authority to state will be, and believe is only deferred by the presence of a United States vessel-of-war in port, whose protection I shall seek in case the necessity arrives to stay proceedings until I have your reply.

I would state the Pacific Mail Steamship Company have a large amount of valuable property here, and this tax would fall heavily and injuriously on them, this being merely their depot, granted to them by the general government as such.

By the wording of the decree, it would fall upon them equally with others.

Begging a speedy reply, I have the honor to be, very respectfully,

D. B. VAN BRUNT,
United States Consul.

Hon. THOS. CORWIN,
United States Minister, Mexico.

Mr. Corwin to Mr. Van Brunt.

C 2, with No. 20.] LEGATION OF THE UNITED STATES OF AMERICA,
Mexico, March 6, 1862.

SIR: I have just received your letter of the 26th of February, asking my opinion as to the legality of the tax of two per cent. on all capital owned by citizens or foreigners in Mexico.

I have carefully considered the subject some time since, and have come to the conclusion that American citizens are obliged to pay this tax. Congress, at its last session, by a decree of that body, conferred upon the cabinet all the powers of government, legislative and executive. I have entertained serious doubts whether, under the constitution, this act was valid; but on full consideration, I am satisfied that is a question for the supreme judicial authority; and as the *present* government is accepted as the only legitimate one, and been so recognized by all foreign powers represented here, its acts must be regarded as legal, and binding upon the citizens of all nations resident in or claiming property within the territory of Mexico.

The taxing power is one belonging to all organized governments, without which it is obvious no political organization could exist. The limits of this power over foreigners are fixed either by the law of nations or by treaty.

National law on this point is positive and universally recognized by all modern writers.

One of the most accurate and learned treaties in modern times on national law has thus defined this power: "Every independent state is entitled to the exclusive power of legislation in respect to the personal rights and civil state and condition of its citizens, *and in respect to all real and personal property situated within its territory, whether belonging to citizens or aliens*"—(See Wheaton's International Law, page 112, part II, chapter II, section 1.)

The legislative power here given over the property of foreigners has always been considered as including the power to tax the property of foreigners. It has been the constant practice of the United States government, as well as the governments of the separate States, to tax the property of foreigners just as they tax the property of citizens. This power may, however, be limited by treaty. The only treaty stipulation on this subject between the United States and Mexico is to be found in the ninth article of the treaty of 1831, which is now in full force, that treaty having been revived by the treaty of 1848. That article reads as follows: "The citizens of both countries, respectively, shall be exempt from compulsory service in the army or navy; *nor shall they be subjected to any other charges or contributions or taxes than such as are paid by the citizens of the States in which they reside.*"

This treaty, in my judgment, obliges citizens of Mexico resident in the United States to pay in the United States all "*charges* or *contributions*, or *taxes*" which are paid there by the citizens of the United States, and as clearly binds all citizens of the United States resident in Mexico to pay all "*charges* or *contributions*, or *taxes*" which are paid here by the citizens of Mexico. If, therefore, a Mexican citizen is bound by law to pay this tax, then, by the treaty of 1831, the American citizen resident here is bound to pay it also. The treaty makes no distinction between *ordinary* and *extraordinary* taxes, between *local* or *general* taxes. I have no doubt that at this moment taxes that may well be termed "extraordinary" are levied, both by the federal and State goverments, in the United States, which operate alike upon the property of the citizens of the United States and Mexicans resident there.

With these views, I cannot consent to any *forcible* opposition to the payment of this tax on the part of American citizens. The citizens of other governments will regulate their conduct by the opinions of their own diplomatic representatives. The tax may be too high, or it may be in other respects impolitic; but these are questions to be determined by the power having the right to tax. So long as American citizens are taxed in the same way as Mexican citizens, I am satisfied that, under our treaty with Mexico, to which I have already referred, the government of the United States cannot interfere to shield American citizens from the payment of such tax. If other nations have treaties forbidding such taxation on their citizens here, of which I am not aware, all that can be said is that they are more fortunate than the United States in this respect. Our citizens, in common with citizens of Mexico, may remonstrate in respectful terms against this tax as being onerous or impolitic, but they can claim no exemption from its payment which a Mexican citizen might not claim with equal propriety.

As to the steamship company's property, no part of it afloat is subject to taxation. Only land, houses, or other property located on Mexican soil within the territorial limits of the Mexican republic, can be subject to this or any other tax levied by the Mexican government, whether state or national.

If, however, any American citizen shall believe that he is not bound to pay this tax, he can pay it under protest and make it the subject of reclamation if he chooses, but in my judgment such payment would form no just ground of claim on the Mexican government.

THOMAS CORWIN.

D. B. VAN BRUNT, Esq.,
United States Consul, Acapulco.

Mr. Corwin to Señor Doblado.

C 3, with No. 20.] LEGATION OF THE UNITED STATES OF AMERICA,
Mexico, March 10, 1862.

SIR: The undersigned has the honor to enclose herewith a copy of a letter from the United States consul at Acapulco, with reference to the tax of two per cent. lately levied by the Mexican government. The undersigned also encloses his reply to this letter, in order that your excellency may know the advice which he has given to the Americans residing in this republic. Similar letters have been sent by the undersigned to other American consuls in different parts of Mexico. But as Sir Charles Wycke, her Britannic Majesty's representative in Mexico, has addressed to the undersigned a private letter from Vera Cruz, requesting him to remonstrate against the collection of this tax from foreigners, he would be glad if your excellency would inform him what course the Mexican government proposes to pursue in reference to this matter; whether or not it proposes to collect this tax from foreigners and Mexicans indiscriminately.

The undersigned renews to your excellency the assurances of his high consideration.

THOMAS CORWIN.

His Excellency El Sñ. Don Manuel Doblado,
Minister of Foreign Relations, Mexico.

Mr. Doblado to Mr. Corwin.

[Translation.]

C 4—Despatch No. 20.]

National Palace,
Mexico, March 12, 1862.

The undersigned, minister of foreign relations, has had the honor to receive the note of his excellency Mr. Thomas Corwin, envoy extraordinary and minister plenipotentiary of the United States of America, dated on the 10th instant, and the copies which he encloses of a communication from the consul for Acapulco, in relation to the law which imposed a tax of two per cent. upon capitals, and of the reply which his excellency was pleased to make to him.

The undersigned has not failed to perceive but with the most positive satisfaction the prudence, learning, and probity of his excellency Mr. Corwin, in the matter under consideration,.and for which he returns to him his most sincere thanks. And in reference to the suggestion of his excellency Mr. Wycke, which has also been particularly addressed to the undersigned, there has been addressed to him in reply that which was given by this department to his excellency Mr. Wagner, under date of the 12th of January last past.

In replying with this statement to the aforementioned note of his excellency Mr. Corwin, it is gratifying to the undersigned to renew to him the assurances of his very distinguished consideration.

MANUEL DOBLADO.

His Excellency Thomas Corwin,
Envoy Extraordinary and Minister Plenipotentiary
of the United States of America.

Mr. Corwin to Señor Doblado.

D 1, with No. 20.]

Legation of the United States of America,
Mexico, March 13, 1862.

Sir: In the negotiations now pending between the governments of the United States and Mexico, it becomes necessary that the government of the United States should be satisfied on the following points:

First. Can the United States make a loan to Mexico, in the present state of the relations between Mexico and the allied powers, without departing from the duties of a neutral, which is the relation my government now sustains towards the three powers and Mexico in the conflict now existing between the two latter.

To resolve this proposition it is necessary to ascertain whether the present relations of Mexico with the three powers is one of war or peace. If the former, then a loan of money by a neutral nation to one of the belligerents, to be used in carrying on a war against the other, would be considered a violation of neutral obligations.

If, however, the present relations of Mexico with England, France and Spain are not of a warlike character according to international law, then the United States government would be perfectly justified in making the loan proposed, and the undersigned is authorized to assure the government of Mexico that it would give to the government of the United States great satisfaction to do so. The government of the United States, as is well known, has been and is anxious to do everything in its power to aid Mexico in extricating herself from the difficulties which have brought her into her present unhappy relations with the allied powers. But she is bound by obligations which she cannot disregard to maintain peaceful relations with those powers. For these reasons I have to ask your excellency to state in what light the Mexican government regards her present relations with the allied powers, whether they are that of peace or war, or whether the present state of things is merely a temporary armistice, which, should the proposed negotiation terminate unfavorably, would result in the resumption of warlike operations by both parties.

Should your excellency be able to satisfy the undersigned on these points, then it is indispensable that the value and amount of the lands and property proposed to be hypothecated by Mexico to secure the payment to the United States of the loan proposed should be authoritatively made known, in a form as authentic and satisfactory as possible.

Your excellency cannot fail to perceive and estimate truly the importance of the information most respectfully asked in this note, in facilitating the negotiation to which it refers, and which the undersigned is most anxious to bring to a speedy and favorable conclusion.

The undersigned takes great pleasure in renewing to your excellency the assurance of my distinguished consideration.

THOMAS CORWIN.

His Excellency El Sñ. Don MANUEL DOBLADO,
Minister of Foreign Relations.

[Translation.]

D 2—Despatch No. 20.]

NATIONAL PALACE,
Mexico, March 14, 1862.

The undersigned, minister of foreign relations, has received the note which his excellency Mr. Corwin, envoy extraordinary and minister plenipotentiary of the United States of America, has been pleased to address to him on the 13th instant, for the purpose of explaining certain points relating to the pending negotiations between the government of the United States and Mexico, and in reply he has the honor to inform his excellency that the Mexican government has made no declaration of war against the allied powers, and that after the preliminaries signed at La Soledad, on the 19th day of the past month, the probabilities of a peaceful solution of the pending questions have so increased as to become a fact.

Thus, therefore, the citizen president thinks that the United States do not fail in the obligations of a neutral nation by making a loan to Mexico, the more so since its employment can never be shown to be for the purposes of war, and on the contrary, this aid helps the government of the republic to comply with its engagements, and, consequently, to fulfil one of the conditions to obtain a firm and lasting peace.

With respect to the second point referred to in the note now being replied to, the undersigned cannot transmit, for reasons well known to the minister, an arithmetical statement of the value of the lands and property of the Mexican government, but he does positively state, under the faith of an official communication, that those values exceed by far that of the loan which is being negotiated, and that they fully guarantee the same. But if the case should arise that any sum should be wanting the Mexican government would promptly pay it, insuring the same now to the satisfaction of the United States.

The undersigned avails himself of this opportunity to reiterate to his excellency Mr. Thomas Corwin the assurances of his very distinguished consideration.

MANUEL DOBLADO.

His Excellency THOMAS CORWIN,
Envoy Extraordinary and Minister Plenipotentiary
of the United States of America.

Mr. Corwin to Mr. Seward.

No. 22.] LEGATION OF THE UNITED STATES OF AMERICA,
Mexico, April 28, 1862.

SIR: On the 18th of this month I sent a special despatch and a treaty by Colonel A. C. Allen. Being in some doubt as to their safety, I send herewith a duplicate of my despatch. Should the treaty be lost it can be easily duplicated here, as an exact copy, already ratified, is in the archives of the state department in this city. Nothing has occurred which changes materially the state of affairs here from that presented in my letter to the department under date of the 16th of this month.

I send, with these, translated copies of the correspondence between the three foreign powers, respectively, and this government, which has recently been published here. This presents a strange and certainly unexpected state of relations between Mexico and those states which united in the intervention treaty at London.

When these powers came here, with their respective contingents of land and naval forces, they held out the olive branch to Mexico, and it was at once accepted. They entered into the preliminary treaty, a copy of which I forwarded to the department. They jointly acknowledged the existing government of Mexico, and agreed to meet its diplomatic agents on the 15th of this month at Orizaba, to treat of their respective claims against Mexico. About the 8th of this month, the allies differed as to the proper construction of a clause in the treaty of London, and agreed that each party should act without reference to that treaty.

At this moment the English and Spanish commissioners are in conference at Puebla with General Doblado, the present minister of foreign relations, while the French, who so lately with the other two powers recognized the present as the legitimate government of Mexico, now seem willing to give some aid to Almonte, who, as the papers which accompany this will show, proposes himself as the only hope of good government left to the republic.

I believe I but give utterance to the general opinion of those best informed when I say that Almonte has no such popularity as to warrant the belief that any considerable force can be rallied under his auspices. It is the general opinion that the invitation of the French to rally under him will not bring into the field any force beyond the robber bands under Marquez and Zuloaga, numbering all together not more than four thousand ill-appointed troops. There are now mustered under the orders of the government, in the States of San Luis Potosi, Guanajuato, and Jalisco, about twenty thousand men, in three divisions, under the commands, respectively, of Ortega, Ogazon, and Comonfort, while the republican forces under Zaragosa, on the road from this city to Vera Cruz, amount to about ten thousand men; so that, unless France determines to engage actively to overthrow the very government with which it treated a month ago, there is no prospect of speedy change in the form or personnel of the Juarez government.

Very respectfully,

THOMAS CORWIN.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States, Washington, D. C.

P. S.—The state of affairs is such as to render the treaty ratified here on the 6th an imperative necessity to Mexico. It will also insure the United States against incalculable future danger.

THOS. CORWIN.

Hon. W. H. SEWARD,
Washington City.

[Enclosures with despatch No. 22.]

No. 1.

Despatch from Talavera to the commander-in-chief of the army of the east.

ARMY OF THE EAST—GENERAL-IN-CHIEF—BATTALION OF THE NATIONAL GUARD OF CORDOBA.

COSMOCATEPEC, *April* 17, 1862.

On the 14th of the present month I received a communication from the collector of rents at Cordoba, to the intent that he had received orders to procure resources for the forces stationed at that district. On the same day I started for those places, with the object of organizing them; some have already united, and if I do not give you an exact account of them it is because this place has been invaded by the French, which was the cause why said forces were obliged to leave immediately for different points, and up to this moment I have not any reports. The French have returned to Cordoba, giving orders to the magistrate not to give any aid to the forces of the supreme government, as any one that should so do would be held personally responsible. I beg you will do me the favor to say to what point I must apply for arms, as the prefect (gefe politico) of Cordoba has written to me in a private letter that they are to arrive at Huatusco.

Liberty and independence.

F. TALAVERA.

The general-in-chief of the army of the east, IXTAPA.

ACULZINGO, *April* 22, 1862.

This is a copy.

LAZARO GARZA AYALA, *Secretary.*

No. 2.

PROCLAMATION OF LA GRAVIÈRE AND SALIGNY.

To the Nation:

MEXICANS! We have not come here with the object of taking any part in your dissensions; we have come to put a stop to them. What we wish is to call upon all honest men to aid us in consolidating good order, and in regenerating your beautiful country. In proof of the sincere spirit of conciliation with which we are animated, we have, in the first place, directed ourselves to that same government against which we have motives of the most serious complaints. We have asked it to accept our aid in establishing in Mexico a state of things that might in future avoid us the necessity of these long expeditions, the greatest inconvenience of which is the suspension of commerce, and the cessation of those relations which are as advantageous to Europe as to your own country. The Mexican government has answered to the moderation of our conduct by taking measures to which we never would have given our approval, and which the civilized world would reproach us for sanctioning by our presence. Between it and ourselves war is now declared. But we do not confound the Mexican people with an oppressive and violent minority. The Mexicans have ever had a right to our warmest sympathies; it remains to them to show themselves worthy of them. We appeal to all those who may have confidence in our intervention, no matter to what party they may have belonged. No enlightened man can ever believe that a government, born from the suffrage of one of the most liberal nations of Europe, could for a moment have had the intention of restoring in a foreign country ancient abuses and institutions, which no longer appertain to the age. We wish equal justice for all, and we wish that this justice should not be imposed by the force of our arms. The Mexican people must be the first instrument of their own salvation. Our only aim is to inspire the honorable and pacific portion of the country—that is to say, to the nine-tenths of the population—with the courage to declare their free will.

If the Mexican nation remains inert, if she does not comprehend that we offer her an unexpected occasion to escape from an abyss, if she does not lend by her efforts a sentiment and a practical morality to our support, it is evident that nothing is now left for us to do but to occupy ourselves with the necessary interests, in view of which the convention of London was concluded. Let all men so long divided by quarrels without an object hasten to unite with us; they hold in their hands the destinies of Mexico. The French flag has been planted upon Mexican soil, and that flag shall not retrocede. Let all upright men hail it as a friendly banner; let the insensate dare to attack it!

E. JURIEN,
A. DE SALIGNY,
Plenipotentiaries of his Majesty the Emperor of the French, in Mexico.

CORDOBA, *April* 16, 1862.

No. 3.

General Prim to General Zaragoza.

ARMY OF THE EAST—GENERAL-IN-CHIEF—BODY OF EXPEDITION TO MEXICO—MAJOR GENERAL'S STAFF—SECTION THIRD.

ORIZABA, *April* 13, 1862.

EXCELLENT SIR: I have just received your excellency's communication of yesterday, in which you inform me of your arrival at Ingenio, and in which you ask me upon what day the forces under my command will evacuate this city; and therefore I have to inform your excellency that on the afternoon of the 19th this place will be entirely evacuated by our troops and materiel.

God preserve your excellency many years.

COUNT DE REUS.

His Excellency Señor Don J. ZARAGOZA.

APRIL 22, 1862.

This is a true copy.

LAZARO GARZA AYALA, *Secretary.*

No. 4.

General Zaragoza to the French commander-in-chief.

ARMY OF THE EAST—GENERAL-IN-CHIEF.

GENERAL HEADQUARTERS AT INGENIO,
April 17, 1862.

Although the French commissioners have been the first to break the preliminaries of peace agreed to at La Soledad on the 19th of February last, as a mere duty of humanity I allow the sick of the army of that power to remain in the hospital; but they are safe under the protection and loyalty of the Mexican army; therefore there is no need they should be guarded by any forces of their own nation. I hope, then, that his excellency the general-in-chief of the French troops residing in Cordoba will order the escort to which I refer to retire, protesting to him the assurances of my personal consideration. Liberty and reform.

J. ZARAGOZA.

His Excellency the GENERAL-IN-CHIEF
of the French Army, Cordoba.

ACULZINGO, *April* 22, 1862.

This is a true copy.

LAZARO GARZA AYALA, *Secretary.*

No. 5.

La Gravière to the commander-in-chief of the army of the east.

CORDOBA, *April* 17, 1862.

The undersigned, plenipotentiary of his Majesty the Emperor of the French, has the honor to inform the general-in-chief of the eastern army that in virtue of orders received from his Majesty the Emperor he has given up the command of the expeditionary body to General Count de Lorencez, who remains in the exclusive charge of the military operations. Consequently, the note that was brought last night by a messenger from the general-in-chief of the eastern army has been transmitted to that general officer.

I avail myself of this present occasion to renew to the general-in-chief of the eastern army the assurances of my distinguished consideration.

E. JURIEN.

The GENERAL-IN-CHIEF
of the Army of the East.

ACULZINGO, *April* 22, 1862.

This is a copy.

LAZARO GARZA AYALA, *Secretary.*

No. 6.

General Lorencez to General Zaragoza.

BODY OF EXPEDITION TO MEXICO—CABINET OF THE GENERAL-IN-CHIEF.

CORDOBA, *April* 19, 1862.

In answer to the letter that Mr. Zaragoza has written to the French plenipotentiaries, under date of April 18, the general-in-chief of the expeditionary body to Mexico affirms that no guards have been left with the sick in Orizaba, nor any man in good health, (valide,) unless it be some few nurses to take care of them.

The general-in-chief of the French expeditionary body begs General Zaragoza to accept the assurances of his distinguished consideration.

GENERAL COUNT DE LORENCEZ.

ACULZINGO, *April* 22, 1862.

This is a copy.

LAZARO GARZA AYALA, *Secretary.*

No. 7.

PROCLAMATION OF GENERAL ALMONTE.

General Juan N. Almonte to all Mexicans:

FELLOW-CITIZENS: I have desired for some days to address myself to you, in order to inform you of the object of my coming to the republic; but the fact of the existence of an armistice, and that of finding myself under the protection of French arms, did not permit me to speak, and I have been waiting for an opportunity to do so, Now that the representatives of France, taking upon themselves the whole charge of the situation, manifest the true wishes of the allied governments, I think it my duty to break the silence which, against my will, I had preserved, and which gave a pretext to the enemies of order to take advantage of it by publishing apocryphal proclamations. Upon returning, then, to the bosom of my country, I tell you that I come animated by no other sentiment than that of contributing to the pacification of the republic, and that of co-operating in the establishment of a national government—one of true morality and order—that may put a stop forever to anarchy, and that may give sufficient guarantees for life and property as well to foreigners as to those of the nation.

A stranger to the bloody struggle which for so many years has lacerated our beautiful country, scandalizing the whole world to that degree as to call forth the serious attention of the great eastern powers of Europe, my efforts will always be to procure the reconciliation of our brothers and to banish from among them hatred and discord. Fortunately, in order to attain so noble an object I have neither personal revenge to gratify nor rewards to demand.

Having been sufficiently repaid by the nation for the services which it was my duty to lend it before and after its independence, my sole desire at present is to offer it the last and most important one before descending into the sepulchre, and that is to secure to it that peace which it has been so long in want of.

On the other hand, having reason to know, as I do know, the wishes of the allied powers, and especially those of his Majesty the Emperor of the French, which are no others than to see the establishment in our unfortunate country (and by our own selves) of a firm government of order and morality, in order that the pillage and vandalism which now reign in every part of the republic may disappear, and that the mercantile world may profit by the immense advantages which our most fruitful country offers it, by the native riches she possesses, and by her geographical situation, I have thought it necessary to hasten to it to explain to you these good intentions, which also embrace the philanthropic idea of establishing forever the independence, nationality, and integrity of the Mexican territory!

For the assuring, then, of a new order of things, you should confide in the efficacious co-operation of France, whose illustrious sovereign makes his beneficial influence felt in every place where a just and civilizing cause is required.

Mexicans! If my honorable antecedents—if my services rendered to my country, as well in the glorious struggle of our independence as in the direction of her policy in the epochs in which I have formed part of her cabinet and represented the nation in foreign lands—if all this, I repeat, make me worthy of your confidence, unite your efforts to mine, and be assured that very soon we will see the establishment of a government such as suits our character, necessities, and religious belief.

This is the assurance of your best friend and fellow-citizen,

JUAN N. ALMONTE.

Cordoba, *April* 16, 1862.

The French commissioners to the minister of foreign relations.

Cordoba, *April* 16, 1862.

The undersigned, plenipotentiaries of his Majesty the Emperor of the French, have the honor to acknowledge to the minister of foreign relations receipt of the collective note, without date, which has been delivered to them by their colleagues, the representatives of her Majesty the Queen of the United Kingdom of Great Britain and of her Catholic Majesty, as well as of the note, also without date, which has been addressed to them particularly and directly by Mr. Doblado.

If the undersigned did not wish to avoid useless recriminations, without dignity, nothing would be easier than to establish, by means of facts, that it is not the representatives of the Emperor who have endeavored, under a puerile pretext, to elude the negotiations, nor that they have come to Mexico to combat the ideas of reform, liberty, or national independence, but that the government is the one who has destroyed with its own hands the preliminaries of La Soledad, persisting, since the day following that upon which the convention was signed, and with double violence, in abandoning itself every day to the same culpable acts against the properties and persons of the subjects of his Imperial Majesty, and against the most sacred principles of the rights of men, that they had ended by obliging the allied powers to exact reparation by force.

The undersigned are sorry to add that other facts, entirely recent—such as the assassination of various French soldiers on the road to Vera Cruz, and even in the environs of Cordoba—furnish a new proof that the Mexican government has neither the will nor the power to comply with the obligations imposed upon all civilized governments. In such a state of things the undersigned, convinced of the inutility of recurring for a longer time to means of negotiations, can only refer to their note of the 9th of April; and they avail themselves of this occasion to renew to the minister of foreign relations the assurances of their distinguished consideration.

A. DE SALIGNY.
E. JURIEN.

His Excellency the Minister of Foreign Relations.

Answer of the minister of foreign relations to the despatch of the French commissioners.

The undersigned, charged *ad interim* with the ministry of foreign relations of the Mexican republic, has the honor to answer the note which, under date of the 16th of the present month, was directed to him from Cordoba by their excellencies the commissioners of the Emperor of the French.

The president, to whom I communicated the contents of said note, contradicts the imputation made therein of his having failed to comply with the preliminaries of La Soledad.

It is in every respect false that the property of any French subject has been attacked; and if by chance the assassinations said to be committed on the road from Vera Cruz to Cordoba—that is to say, in those points occupied by the allied forces—should be verified, the government has neither received notice of them, nor, consequently, has it been able to prosecute the criminals, as it would have done if their excellencies had made the matter known to him. Now that for the first time he hears of these crimes, he has given orders that the necessary investigations be made. As to the rest, a few days after the signing of the preliminaries the commissioners gave shelter to several criminals of the republic, of whom some came from Europe, others were in Vera Cruz, flying from their judges, and others had withdrawn from the rebel forces in which they were fighting, in order to concert together the overthrow of public order, as is proved by documents issued from this ministry.

The same criminals have repaired to different districts subject to the government, guarded by French forces, whose officers have prevented the local authorities from freely exercising their functions, as stipulated in the preliminaries. Other French officers have even gone so far as to imprison some of the Mexican authorities, threatening to have them shot under the most unjust and frivolous pretences.

If these facts, and the having failed in the stipulated conferences of the preliminaries, are or not an infraction of them, history will say, and the commissioners, officers, English and Spanish forces, before whose eyes it has taken place, will testify.

The undersigned has the honor to offer to the commissioners his distinguished consideration.

Liberty and reform! Mexico, April 20, 1862.

JESUS TERAN

Their Excellencies the COMMISSIONERS
of his Majesty the Emperor of the French, Cordoba.

Protest against the treaty.

The undersigned, plenipotentiaries of his Majesty the Emperor of the French, have been informed that the cabinet of Mexico has concluded, some days since, or is on the point of concluding, with a foreign government, a treaty, by which it will sell, yield, transfer, or hypothecate in favor of this, a considerable portion of lands, properties, or rents belonging to the state, in exchange for a loan or advance of a certain sum of money.

The undersigned, without examining the greater or less foundation which the rumors spread abroad upon this subject may have, think it their duty solemnly to protest, as they do, in the name of the government of the Emperor, and for the interest of their compatriots, against any treaty or convention whatever which may have for its object, on the part of Mexico, to sell, yield, transfer, or hypothecate, in favor of whomsoever it may be, all or any part of the lands, properties, or rents of the state, in order to form of these same lands, properties, and rents, the pledge upon which rest the claims held by France against Mexico.

The undersigned avail themselves of this occasion to renew to his excellency the minister of foreign relations the assurances of their distinguished consideration.

CORDOBA, *April*, 16, 1862.

A. DE SALIGNY.
E. JURIEN.

His Excellency the MINISTER OF FOREIGN RELATIONS, *Mexico*.

Answer to the protest.

The undersigned, charged *ad interim* with the ministry of foreign relations of the Mexican republic, has the honor to answer the note of their excellencies the commissioners of his Majesty the Emperor of the French, dated Cordoba, April 16.

As the government of the republic recognizes no right in the commissioners to oppose themselves to the treaties which it may celebrate with any power whatever respecting the engagements it may have contracted with its legitimate creditors, the undersigned confines himself to acknowledging the receipt of the protest which in said note is made against any treaty which Mexico may have concluded, or may conclude, with any foreign government whatever, selling, yielding, transferring, or hypothecating the whole or part of the lands, properties, or rents of the nation.

The undersigned will add only, by order of the president, that the protest of the commissioners will not prevent him from celebrating the treaties or conventions alluded to whenever he judges it to be convenient and it be in his power, availing himself in this of that inherent right which belongs to the sovereignty and independence of the nation.

The undersigned has the honor to offer to the commissioners his distinguished consideration.

Liberty and reform! Mexico, April 20, 1862.

JESUS TERAN.

Their Excellencies the COMMISSIONERS
of his Majesty the Emperor of the French, Cordoba.

Mr. Seward to Mr. Corwin.

No. 46.]

DEPARTMENT OF STATE,
Washington, May 10, 1862.

SIR: War, it appears, has been actually begun between France and Mexico. It is possible that it may result in an overthrow of the existing government of the republic, and the inauguration, or attempt at inauguration, of some new system. It is not the interest of the United States to be hasty in recognizing the revolutionary changes which unhappily are so frequently occurring in Spanish America. It is not always safe to judge that a new government among them, under whatever auspices it may arise, will prove satisfactory to the people and become permanent. At the same time, it is neither our right nor our duty to prejudge and condemn any new constitution or administration which the fortunes of internal war may call into being. In view of these considerations, the President expects that you will suspend any definite act of recognition in case of a dynastic change in Mexico, and will refer the subject to his own consideration.

It is proper to say, in this connexion, that the President, in directing these instructions, fully believes that they run parallel with your own convictions of expediency and justice.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Thomas Corwin, Esq., &c., &c., &c.

Mr. Seward to Mr. Corwin.

No. 48.]

Department of State,
Washington, May 28, 1862.

Sir: Your despatch of April 16 (No. 21) has been received. It is accompanied by a treaty with the republic of Mexico, which you have signed, and which provides for a loan to be made by the United States to that republic, and also by a second treaty which you have signed, and which is designed to perfect the details of the first-mentioned treaty.

At the same time we receive intelligence of a new and important complication of affairs in Mexico, but which is, as yet, so imperfectly developed that it is impossible to determine here what may be the condition of the government and of the republic itself at the present moment. While this uncertainty continues the President is satisfied that, whatever might be his own judgment concerning the treaties you have negotiated, there would be little prospect of obtaining for them the approval of the Senate, which the Constitution prescribes as a necessary condition to his ratification. Just at this moment, also, the government and the country are intently occupied with impending military events, which it is hoped may decide the fate of an attempted revolution, which, if it could be successful, must be regarded as pregnant with confusion, anarchy, and ruin to the whole continent. Under these circumstances the President reserves the consideration of the two treaties for a period more favorable to an intelligent and careful view of the mutual interests of the two countries.

If the wisdom of this reservation were at all uncertain, the doubt would have disappeared in view of the fact that both Mr. Romero, the very enlightened and judicious Mexican chargé here, and Mr. Allen, your messenger, who seems deeply interested in the approval of the treaties, arrived at the conclusion that it would be inexpedient to press their consideration, even before either of the persons had held any conversation with myself or any person connected with the executive department.

The delay, however, need not prevent you from assuring the government of Mexico of the sincere desire of the President for a favorable solution of the existing difficulties, and for the safety and welfare of that republic.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Thomas Corwin, Esq., &c., &c., &c.

Mr. Corwin to Mr. Seward.

No. 24.] Legation of the United States of America,
Mexico, May 20, 1862.

Sir: I have the honor to acknowledge the receipt of your despatches Nos. 43, 44, and 45, with the two treaties between the United States and Mexico lately ratified at Washington. The ratifications will be exchanged to-morrow, and the next day Mr. Plumb, with Captain Shufeldt, will leave for Vera Cruz.

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Very respectfully, your obedient servant,
THOMAS CORWIN.

Hon. William H. Seward,
Secretary of State of the United States, Washington, D. C.

Mr. Seward to Mr. Corwin.

No. 49.] Department of State,
Washington, June 7, 1862.

Your despatch of May 5 (No. 23) has been received. It presents an argument for the ratification of the two treaties with Mexico which you had signed and transmitted to this department at an earlier day. The argument is calm, logical, and earnest. The President is satisfied that your proceedings in this matter have been inspired by just and generous motives, and that the policy you propose is one worthy of very deliberate examination.

You have, however, already been informed that the Senate, on being duly applied to by the President, has advised him not to enter into a treaty which "will require the United States to assume any portion of the principal or interest of the debt of Mexico, or that will require the concurrence of European powers." And it is understood that this advice was agreed in by a nearly unanimous vote of that body, without whose consent no treaty whatever can be made by the executive department of the government.

Under these circumstances the President thinks that it is now his duty to refer the treaties, together with your argument and all other papers relating to the present condition of Mexico, to the Senate, in a confidential manner, for their due consideration.

I am, sir, your obedient servant,
WILLIAM H. SEWARD.

Thomas Corwin, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Corwin.

No. 50.] Department of State,
Washington, June 24, 1862.

Your letter of the 22d of May, sent by Captain Shufeldt, has been received. The captain, however, has not come to Washington, as you expected.

The resolution concerning negotiations with Mexico, a copy of which I heretofore sent you, was adopted by a very great majority of votes. It is said 28 to 8. The opposition was said to combine three classes: One who think that Mexico ought never, in any contingency whatever, either in whole or in part, to be brought into the Union, and who fear that a loan would result in its annexation, and others who think that it was derogating from the national honor to treat at all with foreign nations concerning Mexico. There was said to be a third class, who feared the influence of subsidies to a foreign state upon the public credit. It would be manifestly unwise and unavailing for the President to take an appeal to the Senate from the decision so recently made with so great unanimity.

He has, therefore, submitted your new treaty to their uninfluenced consideration, declaring simply his convictions of the importance of the matter and his sympathies with the people of Mexico.

I think there are already indications of a more hopeful spirit towards our unfortunate neighbor, and that these will rapidly increase with the growing success of our government in its struggle with the insurgents who have attempted the dissolution of the Union. Notwithstanding the course adopted by the French agents and army in Mexico, the government of France still reassures us that it is their purpose to be content with an adjustment of grievances, leaving it exclusively to the people of Mexico to determine their own form of government, and in no case to put up any or to maintain any one that may come in consequence of the war.

We do not feel at liberty to reject the explanations or to anticipate a violation of the assurances they convey. We shall in the end be the stronger for having acted directly, frankly, in good faith, and with reliance upon the good faith of all others. Under these circumstances at present we decline debate with foreign powers upon Mexican affairs

But it would be doing injustice to you, as well as much violence to the feelings of the President, if I should neglect to say that however the results of your labors may now be received by the Senate and the country, he nevertheless appreciates and approves the indefatigable efforts you have made, and is deeply impressed with the lofty and generous spirit as well as the great ability which they manifest.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

THOMAS CORWIN, Esq., *&c.*, *&c.*, *&c.*

Mr. Corwin to Mr. Seward.

No. 26.] LEGATION OF THE UNITED STATES OF AMERICA,
Mexico, June 3, 1862.

SIR: Three days ago a courier employed by our consul at Vera Cruz arrived here with letters and newspapers from the United States, furnishing the details of the late cheering events in our country. This intelligence is almost as grateful to the government of Mexico as it is to ours. It is believed, and I concur in the opinion, that the prospect of a permanent settlement of our difficulties will have an important and happy effect upon the destinies of this country.

The very anomalous condition of the French in this country gives rise to much speculation and conjecture as to its results, as well as to the real objects and motives of the Emperor. Almonte is evidently the agent employed by some power to subvert the present government, and establish in its stead, as is believed here, a monarchy, more or less absolute, having for its representative some European prince. The Archduke Maxamilian is likely to be the man. The French force now here numbers about seven thousand, with the auxiliaries, headed by Marquez, making in all about ten thousand. It has retreated before Zaragoza (who commands the government forces) from Puebla to Orizaba, about ninety miles, and is now fortifying itself at the latter city. A few days ago a detachment, under command of Marquez, marched for Vera Cruz, to bring up General Douai with his troops, about eleven hundred, but learning that Llave was waiting to oppose him with three thousand men at a mountain pass, he returned, leaving Douai at Vera Cruz, losing from ten to fifteen men every day, who fall victims to the vomito.

It is said by well-informed persons here that no more troops are to be sent from France. If this be so, then it is certain the French army will not be able to sustain itself in this country. Almonte himself is not only not popular, but odious to the people of Mexico, and the idea of a foreign potentate is rejected by a vast majority of all parties. It is the confident opinion of well-informed persons here, that the Emperor of the French has been misinformed and greatly deceived as to the true state of public opinion in Mexico. I have heard of no acquisition to the standard of Almonte, borne by the French army, except the bloodthirsty guerillas under Marquez. The English government has settled all matters in dispute with Mexico by a treaty, to which I have referred in a former despatch; and Spain has withdrawn its entire force, intending, no doubt, to treat, after the example of Great Britain.

I have only to repeat my conviction, that it is the obvious interest of the United States, as well as its duty, to ratify at once the treaty with Mexico, ratified here on the 6th of April last. I have in a former despatch given my reasons fully for this opinion, and forbear to repeat them here.

The circular addressed by you to the European courts touching their movements here, while it cannot be objected to anywhere, is received here with the liveliest satisfaction. This government expects the best results from it.

Your obedient servant,

THOS. CORWIN.

Hon. William H. Seward,
Secretary of State of the United States, Washington, D. C.

Mr. Corwin to Mr. Seward.

No. 28.] Legation of the United States of America,
Mexico, June 28, 1862.

Sir: Nothing has occurred since my last despatches to change in any important particular the aspect of affairs in Mexico. The French still occupy their place at Orizaba. The guerillas cut off their communications from Vera Cruz as far as Puebla.

I enclose copies of a correspondence between the captain of a rebel regiment on the frontier of Texas and the Mexican authorities.

I am, sir, your obedient servant,

THOS. CORWIN.

Hon. William H. Seward,
Secretary of State of the United States, Washington, D. C.

[Translation.]

National Palace, *Mexico, June* 2, 1862.

Sir: By the annexed copies which I have the honor to transfer to the hands of your excellency you will be made acquainted with the complaints which our principal authority of the State of Tamaulipas has received from the military commander of the sub-district of Rio Grande, on account of the course pursued at Matamoras by the consul of the United States of America in committing hostilities thence on the authorities of the southern States; and, in order to prevent complications that may cause serious damage to Mexico, I doubt not that your excellency will hasten to address positive orders to said consul to the end that he may not compromit the neutrality which Mexico has to observe in the contest unfortunately existing in the United States of America.

I avail myself of this opportunity to renew to your excellency the assurances of my very distinguished consideration.

MANUEL DOBLADO.

Mr. Thomas Corwin,
Envoy Extraordinary and Minister Plenipotentiary of the United States of America.

No. 21.

[Translation.]

Military commander, chief post of Tamaulipus, makes report in regard to complaints of the authorities of Texas on account of the course of the consul of the United States at Matamoras.

Citizen Minister: Under date of the 12th instant I stated to the military commander of the line at Matamoras what follows: "The commander of the military sub-district of Rio Grande has addressed this commandancy, representing that he knows beyond doubt that the consul of the United States at that place protects American citizens who are enemies of the government of the confederated States of the south in North America, and this with the consent of your command. This is contrary to the neutrality which the Mexican government has proposed to itself to observe in the differences that exist between the two bodies of people of the neighboring republic. And even if the authorities of the south were not setting us an example in not allowing enemies of Mexico to abide in their territory, any act on the part of the Mexican authorities not in strict consonance with that purpose justly deserves to be regarded as offensive and as subversive of the friendly relations which they cherish with us. The commandancy in my charge, not wishing in any way to expose the nation to new complaints, and, on the other hand, seeing how justly the commander of Texas complains, has replied to that officer that it will apply the due remedy for such an abuse; and therefore I warn you to abstain from protecting, and to prevent their being protected, in that place and other towns included in your command, the enemies of the government of said States, and to watch most particularly the consul of the United States, until the supreme government of the republic, which has been notified of this matter, shall determine what is proper respecting it. I trust that your commandancy, impressed with the great evils which might result to this frontier, and even to the whole nation, from not observing strictly the neutrality which is due in the contentions of the neighboring States, will take the greatest care and be most zealous in complying with my instructions, giving timely notice of what may happen in this respect; and, in case the American consul should continue to protect in any way the party opposed to the government of the Confederate States, that it will notify him to refrain therefrom or else to leave the Mexican territory, the authorities of which must not permit the neutrality to be violated by anybody."

And I transcribe the same for you, annexing a copy of the note which said commander of the sub-district of Rio Grande sent to this commandancy, and which gave rise to my communication herein inserted, the contents of which you will be pleased to report to the citizen president, and I hope it may meet with his superior approval; and you will also tell me what is to be done in this delicate matter, which, owing to its nature and the character of the persons who are parties to it, may be of grave importance to the republic, it being exclusively for the general government to determine what is proper.

I reiterate to you on this occasion the assurances of my high consideration and esteem.

God and liberty! Monterey, May 18, 1862.

SANTIAGO VIDAURRI.

The CITIZEN MINISTER *of Foreign Relations and of the Interior, Mexico.*

[Translation.]

SECRETARY'S OFFICE OF THE MILITARY COMMANDANCY, CHIEF POST OF TAMAULIPAS.

HEADQUARTERS MILITARY SUB-DISTRICT OF RIO GRANDE,
San Antonio, Texas, April 17, 1862.

Since writing to you yesterday I have been officially informed that the soldiers are deserting from our forces on this side of the Rio Grande, and that, taking refuge in Matamoras, they are subsisted by the consul of the United States, with the knowledge of the military commander of Matamoras, and that there are many Americans, some of them armed, assembled in that place who are declared enemies of the Confederate States, who are doing everything which is possible to poison the minds of the officers and citizens against us, and to stimulate them to commit bad acts against our country and its citizens.

It is a positive fact that the consul of the United States at Matamoras has been constantly inducing our soldiers to desert, and that he has been doing everything which was possible to render our officers uneasy, and thus disturbing the good relations which exist between the two countries. I did not wish to take notice of this so long as I had not precise information; but I have obtained that, and in such abundance that they will have to be watched by the officers of your government, if they have a disposition to do so. And I must call your attention to this act, and ask you to prevent this infraction of the laws of neutrality by persons who are residing in Matamoras or on the left bank of the Rio Grande; and you will permit me to assure you that I have the greatest confidence in your intentions to keep up with us relations of friendship, and that you will take this affair into consideration.

I again assure you of my high consideration, and of the warmest wishes of my country and of myself to cultivate more closely relations with you, your government, and your people.

I have the honor to subscribe myself your excellency's most obedient servant,

H. E. McCULLOCH,
Colonel of 1st *Reg't T. M. R., C. S. of A.,*
Commanding the Military Sub-district of Rio Grande.

General Don SANTIAGO VIDAURRI,
Gov. of the Free and Sovereign State of New Leon and Coahuila.

MONTEREY, *May* 18, 1862.

A copy of the translation from the original.

MANUEL G. REJON.

MEXICO, *June* 2, 1862.

True copies.

JUAN Á D. ARIAS.

LEGATION OF THE UNITED STATES OF AMERICA,
Mexico, June 4, 1862.

SIR: The undersigned has the honor to acknowledge the receipt of your excellency's note of the 2d instant, covering a correspondence between one of the officers of a rebel regiment in arms against the United States and General Vidaurri. The undersigned will transmit to the consul at Matamoras proper instructions as to his duty in any case affecting the relations between Mexico and the United States which may arise out of the present disturbed condition of our frontier adjoining the Mexican territory.

The undersigned will transmit to your excellency a copy of his instructions to the American consul at Matamoras, and will lose no time in forwarding to the State Department at Washington copies of your excellency's note of the 2d instant.

The undersigned renews to your excellency the assurance of his distinguished consideration.

THOMAS CORWIN.

Mr. Seward to Mr. Corwin.

No. 51.]

DEPARTMENT OF STATE,
Washington, July 14, 1862.

Your despatch of June 3d has been submitted to the President. Contrary to what was expected with much confidence, the army under General McClellan has for the moment failed in its advance against Richmond. He has, however, by a masterly generalship, changed his position for a more advantageous one on the bank of the James river, where he has the co-operation of a naval force. We are rapidly bringing into the field additional land forces and augmenting the navy with iron and iron-clad steamers. The general military situation remains unchanged.

Our intelligence from abroad has been quite satisfactory during the last month. It is to be expected, however, that the check at Richmond will produce some new demonstrations of opposition and hostility on the part of interested or prejudiced classes abroad. Nevertheless, we do not apprehend any new complications, although the maritime nations with which we have held communications the most intimate for a long period are suffering scarcely less than ourselves in consequence of our civil war.

My previous communications will have prepared you for the announcement that the treaties which you recently negotiated have been laid upon the table in the Senate, and that Congress is about to adjourn.

We learn from London that the British government has not approved the treaty negotiated by Sir Charles Wyke. There seems to be good reason for believing that the invasion of Mexico is becoming unpopular in France, and that the French government may probably desist from it or materially modify its plans and purposes in regard to the enterprise.

It is very certain that the idea of preparing a throne in Mexico for an Austrian prince, if ever entertained, was long since discarded.

It is probable that what has been most recently intended was a preparation of the ground for a recognition of the government under General Almonte, but without guarantees for its maintenance and stability. You can judge better than we how far that project is likely to be made successful.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

THOMAS CORWIN, Esq., *&c., &c., &c.*

Mr. Corwin to Mr. Seward.

No. 30.] LEGATION OF THE UNITED STATES OF AMERICA,
Mexico, July 11, 1862.

SIR: When my despatch of the 28th of June was copied and presented to me, I was so very ill that I could not sign it. I asked Mr. Arnoux, my copying clerk, to sign my name for me, which he did. I herewith enclose a duplicate signed by myself. Since the date of that despatch, the general condition of affairs here has not materially changed. The present cabinet remains in power, and, so far as I can see, with the approbation of all the States and a large majority of all the people.

The French troops are encamped in Cordoba and Orizaba. They are said to be in great want of supplies of every kind. Their ammunition and provisions sent from Vera Cruz are usually cut off by the troops of the government. I heard yesterday that a large force had left Orizaba for the coast, to escort provisions to the camps at Cordoba and Orizaba. Meantime the governor of Vera Cruz, (appointed by Almonte,) two weeks ago, called the merchants together and demanded that they should buy the bills of M. de Saligny, drawn on his private banker at Paris, to the amount of fifty thousand dollars, which they declined, whereupon the governor threatened forced loans, and thus, so far as I can learn, the matter rests at present.

A French fleet protects the power of Almonte in Vera Cruz, without which neither he (Almonte) nor any of his adherents could hold the place for half a day. All commerce is at a stand there. Goods intended for this place, and others in the interior, fill all the warehouses; but nothing can be brought safely twenty miles out of the place. This has been the situation of things since last November. It is the general belief that the steamer which will arrive at Vera Cruz on the 26th instant will bring orders from the Emperor of the French to cease hostilities, and leave Almonte and his few associates to their fate.

Your obedient servant,

THOS. CORWIN.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States, Washington, D. C.

Mr. Corwin to Mr. Seward.

No. 31.] LEGATION OF THE UNITED STATES OF AMERICA,
Mexico, July 28, 1862.

SIR: I forwarded by a recent despatch a correspondence between Colonel or General James Reiley, an officer in the Texan rebel army, and the governor of Sonora, in which the rebel officer was evidently anxious to bring about a rupture between the confederate forces and the weak States of Mexico. Since then, I learn from newspaper reports that a demand has been made by the same officer for the right of marching troops across the Mexican territory to Guaymas. I have endeavored to impress the government here with the arguments against this proposition. As this government does not acknowledge the nationality of the flag borne by these troops, they are under no obligations which can be regarded as rational to treat with them in any way whatever. It is probable the idea of getting permission to enter Mexican territory peacefully is based upon the hope of uniting with Mexican malcontents in an effort to separate the northern Mexican States from this republic, and thus realize the project of the Knights of the Golden Circle, which is or was to conquer Mexico, and establish a government in which the Indians and mixed races should be disfranchised entirely and treated as slaves. I call your attention to this subject now, that the United States government may be fully apprised of all secession movements in that quarter, and give them their due weight in the general plans adopted for extinguishing the revolt in all its parts and everywhere. We have been waiting with intense anxiety here for some decisive result at Richmond. The belief gains ground here every day that the fate of Mexico hangs upon the successful termination of civil war in our country. The capture of New Orleans was regarded by most people here as proof of the inability of the south to sustain the conflict much longer; but the desperation with which the war is waged in Eastern Virginia and the cotton States still gives a ray of hope to those here who wish success to the attempts to overthrow the present government of Mexico with the aid of foreign troops.

The mystery which attends the movements of the French in Mexico, and the doubts as to the real designs of the Emperor in separating from England and Spain, and the doubts also whether he will sanction that separation ultimately, leaves the government here in the most painful uncertainty as to what it may be required to do in order to preserve its national existence.

The French steamer arrived at Vera Cruz on the 11th of this month. Our consul writes to me, under date of the 15th instant, that he had seen the commander, and he (the captain) informed him that the news of the repulse of the French troops at Puebla, and their consequent retreat to Orizaba, had reached France before he left by a vessel from San Francisco; that his ship was detained two days on that account; that the course of M. de Saligny here was much censured, but that ten thousand additional troops were embarked for Mexico, and would arrive in a few days. The effective French troops now here do not exceed five or at most six thousand men. Now, if the intention be to overrun the country, and establish a government by military force, ten additional men would be just as likely to effect that object as ten thousand. No force short of fifty or seventy-five thousand veteran troops could accomplish this object. Never were the Mexicans better united in any scheme whatever than now in opposition to foreign intervention, whether the object of that intervention be the establishment of a throne with a foreign potentate upon it, or the setting up of Almonte, or any other chief, under foreign auspices. All the rival chiefs, with one or two exceptions, are in the field in support of the present government. General Comonfort (a former president) is now in command of the united forces of three or four northern States, having his headquarters at San Luis Potosi, and is expected to be here in a few days, to receive orders from this government. Marquez, the celebrated reactionary robber, co-operates with the French army, but is on very bad terms, it is said, with the French commander, who, we learn, treats him with little respect. Twenty or thirty thousand troops might possibly march to this city and occupy it, but they could extend their operations no further, and would eventually be cut off from all communication with the sea-coast. If that should be, as I expect it will be, attempted, it would be as well they should imitate the example of Cortez, and destroy their fleet at Vera Cruz, for it would be useless, except to hold the city and castle at that point. The re-enforcement of ten thousand men, therefore, can only serve to aid in a treaty, but will be worthless if the conquest of Mexico is intended. It is well known here that M. Thouvenel assured Lord Cowley, at Paris, four months ago, that no more troops would be sent to Mexico. Has the Emperor changed his policy, or has he only disguised his intentions and duped the allies? Will he persevere in the subjugation of Mexico, and reduce it to a French colony, against the earnest remonstrance of England, Spain, and the United States?

* * * * *

I beg to be informed as speedily as possible on some of the most important points I have referred to; also of the fate of the treaty with Mexico, which I suppose must have been determined before now. Its ratification is considered here by Mexicans (and I agree with them fully) as vital to the interests, if not the existence, of Mexico. I transmit a newspaper copy of so much of the diplomatic correspondence touching Mexican affairs as was recently laid before the Spanish cortes. The papers, however, I dare say, have come into the possession of the department through other channels.

I hope the British steamer's mail, due here on the 30th or 31st instant, will bring us cheering news from the United States, and I am not without hope from Europe also.

Very respectfully, your obedient servant,

THOS. CORWIN.

Hon. William H. Seward,
Secretary of State of the United States, Washington, D. C.

MEXICAN AFFAIRS.

Documents presented to the Cortes by the Spanish government.

The Spanish government to General Serrano—The minister of state to the captain general, governor of the Island of Cuba.

Madrid, *December* 13, 1861.

Excellent Sir: I have received the despatch of your excellency (No. 80) of the 26th of November last, in which you state the reasons which have determined you to send to Mexico the Spanish expedition before the union of the forces of England and France.

Our lady, the Queen, to whom I have given an account of the said despatch, giving due weight to the doubts which have occurred to your excellency respecting the intentions of the government of her Majesty upon the reunion of the combined troops, that the notice transmitted to your excellency concerning the point where this should take place did not reach you, and of the weighty evils or detriments, at least, which might result from the detention of the squadron in this port, has vouchsafed to approve of the measures adopted by your excellency, regretting that a measure resulting from causes so legitimate should engender the slightest doubt respecting the thorough loyalty and constant disinterestedness of the government of her Majesty in the delicate question of Mexico.

In order to avoid any unfavorable interpretation, the ambassador of her Majesty in Paris and her ministers in Washington and London are charged to manifest to those governments the motives which have given rise to the resolution of your excellency, naming as a principal one that of three powers having delayed to agree upon the point of reunion of the three squadrons until far into the month of November. Upon the 7th of the said month the British cabinet made known its desire that the union should take place at Port Royal, and the government of her Majesty having proposed that it should be at Havana, the conformity with this idea was known too late to allow of its being communicated to your excellency in time for the notice to reach you before the 29th, upon which day, according to what your excellency declares, the first movement of the squadron was to take place. It is to be hoped that these explanations will satisfy the friendly and allied governments; but, at all events, her Majesty desires that all posterior acts be in conformity to the instructions given to the Count de Reus.

The government of the Queen is assured that our expedition even having sallied out alone in order to station itself before Vera Cruz, the result of its operations will have corresponded to the valor and enthusiasm of the forces of the army and navy. United, then, as it is to be hoped, the friendly forces before Vera Cruz, every step taken shall bear the seal of indispensable union, and, meanwhile, your excellency will execute them as it is expressed in the name and by the representation of the three governments.

The Spanish government to General Prim, the plenipotentiary and commander-in-chief of the expeditionary troops of her Majesty in the Mexican republic.

MADRID, *December* 15, 1861.

EXCELLENT SIR: The representative of Great Britain at this court has made known to me a communication received from his government, in which is shown forth the state of the reclamations brought forward in the month of September last by the minister plenipotentiary of England in Mexico, to obtain the payment of English claims pendant against the republic.

From the notices contained in the said document, it results that, the English claims accepted by the government of the republic and a plan of arrangement agreed upon, some difficulty arose in the negotiation owing to the resistance which the government of Mexico opposed to recognizing the sum which had been subtracted by the force of the British legation, and by its repugnance to allow of the nomination of interventors in its maritime custom-houses, which measure, in its opinion, would be considered by the people as a national humiliation.

As to these difficulties might be added the impossibility, alleged by the Mexican government, of finding resources with which to satisfy the claims in question, the representative of the United States intervened, who offered (and his offer was accepted by Mexico) to negotiate a treaty, in virtue of which the cabinet of Washington should take upon itself the payment of the interest of the debt of Mexico with England for a period of five years, in exchange for some material guarantees and under determinate conditions of reintegration.

This offer was accepted and the plan of agreement was formed, the stipulations of which were not to be put in action until the 1st of January, 1862, the representative of Great Britain having judged that until that date the funds promised by the United States would not arrive; but, doubting the accomplishment of the promise, the treaty not being yet signed, Sir Charles Wyke solicited the presence of naval forces in Vera Cruz, and the authorization of recurring to force in case of necessity.

On the other hand, the government of Mexico, yielding to the efforts of the representative of her Britannic Majesty, had also offered to do all in its power to satisfy the reclamations of the French legation, occasioned by the suspension of the payment of the interests accruing, according to the terms of the treaty entered into with this last power. In presence of such events, and although the advantages obtained by Sir Charles Wyke satisfy Great Britain, the government of this power does not believe that the new stipulation projected will be more faithfully complied with than so many others formerly contracted. Such security, if, indeed, it can be obtained, the cabinet at London finds only in the treaty just signed between France and Spain.

The only advantage, then, to be derived from the consent of the Mexican government to the exigencies of the representative of Great Britain, is in the precision with which England has fixed the limit of its reclamations which will facilitate the future joint demands of the three powers.

At the same time that Sir John Crampton has made me acquainted with these events, the minister plenipotentiary of the United States at Madrid made me proposals analogous, in the name of his government, as far as relates to the Spanish claims; that is to say, that the government of the United States would bind itself, by means of a treaty, to pay, for a definite number of years, the interest of the bills of Spain against Mexico, by virtue of corresponding guarantees on the side of the republic.

I replied to Mr. Schurz in suitable terms, and with the proper reserve, in order that he might understand that Spain, France, and England brought to an agreement to act in concert with the view of obtaining from the republic of Mexico, by means of a combined movement, those reparations and satisfactions which they had a right to exact for the grievances which they had sustained, no basis whatever of arrangement could be accepted without the consent of the three powers interested. It will contribute, without doubt, to establish the necessary union in all the actions and claims, and to the prompt satisfactory termination of our differences with this republic, that the representatives of France and England in Mexico know exactly the nature of our grievances and the extent of the reparations which Spain exacts of the republic, and the necessary conditions and guarantees not only in order to avoid their repetition, but also to secure to the subjects of the Queen the security and protection they require in the exercise of their labors and professions, and in the employment of their capitals.

Included in the instructions communicated to your excellency, upon leaving this court, the claims to be presented in the name of Spain. When the proper moment arrives, to open the negotiations for an arrangement, your excellency will be pleased to make them known to your colleagues of France and England, in order that in all the efforts your excellency may make use of, with the representatives of the said powers, may preside unity of aim and action, which is the best guarantee for the furtherance of the important mission which the government of the Queen has confided to the zeal and loyalty of your excellency in the Mexican republic.

By royal order, I communicate this to you for your knowledge and government.

God, etc.

S. CALDERON COLLANTES.

The minister of state to the ambassador of her Majesty in Paris, and to the minister plenipotentiary in London.

MADRID, *December* 20, 1861.

The Spanish expedition having been ready, at the Havana, to set sail, and the captain general of the island of Cuba not knowing whether the treaty between Spain, France, and England had been signed; being, consequently, ignorant of what would be the place appointed for the union of the three squadrons, and the maintaining the prolongation of an expedition ready to enter into campaign, occasioning enormous expenses, General Serrano has informed her Majesty's government, under date of November 26 last, that it was resolved to send out the Spanish expedition to Vera Cruz between the 29th of November and the 2d of December. The chief officer who should direct it was to carry orders to agree in everything with the squadrons of the two powers friendly and allied if they were already in Vera Cruz; otherwise, the city of Vera Cruz and the Castle of San Juan de Ulloa should be taken possession of and held by the three united powers until the arrival of the French and English squadrons, which must be acted upon by mutual consent.

Your excellency will please communicate the above to this government, showing forth the great considerations that have influenced the captain general of the island of Cuba to adopt the determination which I have already expressed.

God, etc.

S. CALDERON COLLANTES.

The minister of state to the representatives of her Majesty in Paris and London.

MADRID, *December* 25, 1861.

Your excellency is aware that the government of her Britannic Majesty proposed, upon tho 7th of November last, that the squadrons of France and England should meet in the bay of Port Royal, belonging to Guadalupe, and that the Spanish should unite with them fifteen miles northeast of the Cape of San Antonio. Upon the 6th of the same, the Spanish government had declared that the meeting was to take place at the Havana, to which the French government acceded, but that that the news of the consent of England arrived at a later period, for which reason it was impossible to notify the captain general of Cuba of this agreement until the lieutenant general, Count of Reus, had already departed.

Owing to these facts, and the considerations alluded to, the French and English governments will be convinced that it was not in the power of her Majesty to prevent the departure of the expedition resolved upon by the captain general of the island of Cuba, on account of the impossibility of detaining it longer in the waters of Havana, and for fear of its arriving after the other two, which he considered derogatory to the honor and dignity of Spain.

The government of the Queen regrets extremely this occurrence, which, however, can in no way change the nature of the operations and the results to be expected from the presence of the allied forces on the coast of Mexico.

S. CALDERON COLLANTES.

No. 35 is the reply of our minister in London upon these facts to the ministry of state.

It is as follows:

The minister plenipotentiary of her Majesty to the excellent Señor first secretary of State.

No. 239.]

SPANISH LEGATION IN LONDON,
London, December 23, 1861.

EXCELLENT SIR: The telegram which your excellency did me the honor to address me with date of 20th, upon the probable departure of the Spanish expedition for Mexico, did not reach this capital until the night of Saturday, 21st.

Having informed myself of its contents I wished to see Count Russell immediately, but I learned that he was absent and would not return from Windsor until after the funeral of the prince consort. I was not sorry for this circumstance; on the contrary, I was glad to find myself obliged to write to him, as the communication I had to make is of that nature which it is best to consign to writing, and therefore, without further delay, I wrote and despatched the note the copy of which is here adjoined. In it I remind him that from the first I had warned him of the possibility of that which General Serrano now announces as about to take place, and I put before him the weighty reasons which have brought this about, concluding by declaring that if our troops have occupied Vera Cruz, this occupation must be understood to be made in the name of the three allied nations.

The seasonableness of this communication is approved by the news received to-day from America, and which I have had the honor of transmitting to your excellency by telegraph. Upon the 29th the first division of our expeditionary forces left the Havana in the midst of the most extraordinary enthusiasm, and very soon the other two will follow it, so that by this time it is certain that they are before Vera Cruz and in possession of that city, and of the castle of San Juan de Ulloa.

God preserve your excellency many years.

The minister of state to the plenipotentiary, commander-in-chief of the Spanish expeditionary troops for Mexico.

MADRID, *March* 22, 1862.

EXCELLENT SIR: Her Majesty the Queen, our Lady, has made herself acquainted with all the interest the nature of the subject inspires, with your excellency's communication of February 20, and with the documents accompanying it; and as your excellency will already have received royal orders which were conveyed to you by last mail, you will have easily understood the impression your tidings have produced upon the royal mind.

If the government of her Majesty desired to observe, with that of the Mexican republic, a system of moderation as ample and unrestrained as would permit the nature of the facts produced by the combined action of the three powers and the conditions of that same government, it did not consider it necessary to carry them so far as might create a doubt in the Mexicans themselves respecting the determination with which the claims, once established, would be prosecuted.

The government of her Majesty give their full value to the considerations expressed by your excellency, demonstrating the necessity of all the steps taken before the 20th of February last, and of the preliminaries adjusted with the minister of foreign relations of Juarez, but it still thinks that some of these may give rise, in the country itself, to interpretations productive of a more obstinate resistance than it would have opposed if the claims had been presented at first.

Examining attentively the preliminaries, it is seen, that by the first clause, the government of D. Benito Juarez acquires a moral force it did not possess, since, giving faith to his word that it has all the elements of strength and opinion necessary to its preservation, it enters at once into the ground of treaties or negotiations.

This might have been done, omitting the manifestation, and it would not have borne with it the inconveniences which present themselves at the first sight.

The second clause indicates an idea which is not well understood, or cannot be realized, because the plenipotentiaries of the three governments cannot delegate the attributes they have received from the same. They alone hold the right and power to exercise them.

The fourth clause has excited the liveliest disapprobation on the part of the imperial cabinet, and the government of her Majesty would not approve it if the reflections of your excellency to justify it had no weight in her mind. In fact, that which is obtained by an arrangement is not to be maintained by force. The loyalty and valor of the allied forces, and the point of honor of the chiefs who command them, will be shocked at such an idea; but the Mexican government should have left to the noble decision of those the adoption of the measure necessary in case the negotiations had not succeeded, or rather, in that of not accepting the claims of the three allied governments.

This demonstration of good correspondence would not have been proper, when so many proofs of moderation and generosity were given by the allies. It will be, besides, extremely sensible, that, in case of having to withdraw the troops, the hospitals remain in the power of the enemy, even after having contracted the solemn promise to respect them, and when means have not been wanting to punish whatever action may be committed against them.

The last clause or condition of the preliminaries is that which it is most difficult to explain. The city of Vera Cruz and the castle of San Juan d'Ulua were occupied by the Spanish troops in the name of the three nations, not only as a basis and principle of operations, but also as a pledge and sure guarantee to oblige the Mexican government to satisfy the claims presented to it.

As long as this is not realized; as long as any idea or danger of breach existed, Vera Cruz and San Juan de Ulua, abandoned by the Mexican troops, cannot recognize, are under no other authority or power than that of the forces of the three allied nations; planting the Mexican flag by the side of the banners of these, it will be understood, supposing the fact to be realized that they have one situation in common, the same interests and identical rights; and as the signification of the event can be no other, it does not appear to be in agreement with the reality of matters.

Thus it is that the government of his Imperial Majesty has considered it of such importance that, united with the others, it has caused him to dictate the resolution of separating Admiral Julian de Lagraviere from the command of his forces.

The English cabinet has not viewed with the same eye all the actions and resolutions of the plenipotentiaries; but between those two governments and that of her Majesty an agreement must of force be made which may determine the ulterior course of the combined expedition. In the meanwhile the government of her Majesty assured that when your excellency receives this communication the negociations commenced will have come to an end; and, wishing to avoid the least want of concert or harmony in the resolutions of the three governments, has resolved, in the short space of time elapsed since yesterday when the mail was received until the hour when it is about to leave, to say to your excellency that, well penetrated with the spirit of the instructions which with her approval I formerly conveyed to you, you may proceed with the greatest promptness and energy, and in conformity with the plenipotentiaries and chiefs of the troops of the other nations, in case the conferences of Orizaba have not had a result entirely satisfactory.

Your excellency recognizes, with reason, that all imaginable means of conciliation being exhausted, the necessity of hostilities, whatever may be their consequences, will be demonstrated in the face of the world, and before the Mexican people themselves, that its confidence and support cannot be preserved, seeing that they cannot actually consent that a government deaf to the voice of justice should be animated and directed in all their actions, in the same manner as a civilized government. This extremity having arrived, your excellency can count without doubt upon the active co-operation of all honorable men, and the three allied nations not only will obtain the satisfaction due to their numerous grievances, but also that of having contributed by the presence of their troops, and without injuring, favoring, on the contrary, the independence of the Mexican people, to give to it a government which may put a stop to its prolonged sufferings, and give pledges of security to all the natives' and foreigners' interests.

By royal order and by the approval of the council of ministers, I say this to your excellency, for your knowledge and consequent proceedings.

God, &c., S. CALDERON COLLANTES.

By royal order a copy was given to the representatives of her Majesty in Paris, London, and Washington.

No. 7.

Despatch 10.—*Extraordinary diplomatic mission of Spain in Mexico.*

The undersigned representatives of her Majesty the Queen of the United Kingdom of Great Britain and of her Catholic Majesty have the honor of transmitting to their excellencies, plenipotentiaries of his Majesty the Emperor of the French, a copy of a note just received from General Doblado, in reply to the collective communication which they addressed to him upon the 9th of this month. The undersigned have not hesitated to accept the offer made them by General Doblado, in the name of his government, to come to Orizaba, in spite of the rupture of the treaty of London, and of the preliminaries of Soledad, with the hope of arriving at a friendly solution of the questions to be settled between the allied powers and Mexico, seeing that the government is disposed to reject none of the admissible pretentions of the three powers. As the note, and implicitly the offer, of General Doblado are addressed also to the French plenipotentiaries, it is incumbent on them to decide upon the answer it suits them to give. The undersigned take advantage of this opportunity to renew to their colleagues the assurances of their most distinguished consideration.

ORIZABA, *April* 14, 1862.

THE COUNT OF REUS.
CHARLES LENNOX WYCKE.

Their Excellencies the PLENIPOTENTIARIES
of his Majesty the Emperor of the French.

This is a correct copy.

JUAN ANTONIO LOPEZ DE CABALLOS.

The French plenipotentiaries refused to accede to the invitation in the following despatch:

No. 8.

The undersigned, plenipotentiaries of his Majesty the Emperor of the French, has the honor to declare to their excellencies, representatives of her Majesty the Queen of the United Kingdom of Great Britain and of her Catholic Majesty that, on their side, they cannot accept the offer made to the commissioners of the three high powers by General Doblado.

It is very natural that the representatives of her Majesty the Queen of the United Kingdom of Great Britain and of her Catholic Majesty should embrace the said offers if they entertain the conviction that the present government of Mexico has the will and power to comply with its promises and fulfil its engagements; but the representatives of his Majesty the Emperor of the French are far from feeling an equal confidence, since, upon this especial point, they cannot be ignorant of the decisive views of their governments. As far as relates to the independence of Mexico and reform, no one knows better than the minister of foreign relations, there is no question of these; and the representatives of his Majesty the Emperor of the French hasten to profit by this occasion to reject all insinuations of those who in vain expect to excite passions in a country that has never hoped anything from our intervention but order and liberty.

The undersigned, while answering directly the communication of the minister of foreign relations, have the honor of reiterating to their colleagues of England and Spain the assurances of their distinguished consideration.

CORDOBA, *April* 15, 1862.

A. DE SALIGNY.
E. JURIEN.

Correct.

J. A. L. DE CABALLOS.

The minister of state to the minister plenipotentiary of Spain in Mexico.

MADRID, *May* 22, 1862.

EXCELLENT SIR: Her Majesty the Queen has informed herself, with the liveliest interest, of the despatches of your excellency, of March 29 and April 12 and 16, and having heard the opinion of her council of ministers, has deigned to approve of the conduct of your excellency in the different circumstances in which you have been placed, and of your resolution to re-embark the troops of the expedition under your command.

This same declaration the president of the council and myself have had the honor of making in the session of the congress of deputies, of the 19th ultimo, and it should calm the natural anxiety of your excellency at the responsibility likely to lie upon you for the serious determination you adopted.

Not being able to dispense with a diplomatic agent more or less characterized in Mexico, your excellency would have proceeded with great provision by having disposed that the secretary of legation, Don Juan Lopez de Caballos, should have gone to that capital to look carefully into the events that took place there, and to act in the best manner possible in favor of the subjects of the Queen, if, unfortunately, any new vexations should take place. Mr. Caballos tells me that your excellency had already thought of this, and it has received the approbation of her Majesty.

Your excellency is hereby authorized to remain at the Havana, or to come to this court, according as you may think proper in regard to the negotiations that have been commended to your zeal and patriotism. As long as events are not developed and carried out in the territory of the republic, nor a government established as they desire to establish, your excellency will not be able to make use of your representation in that capital. But, if considerations superior to these should decide you to go there, the government of her Majesty will approve of whatever resolution you may adopt, with the understanding that you will not present your credentials to the government that may be organized until her Majesty the Queen has examined in her wisdom the facts that have given rise to its formation, and decided whether she will enter into immediate negotiations with it.

What has hitherto taken place, and what may take place hereafter, has been of such a serious nature that the government of her Majesty cannot make any precipitate resolution, and she reserves her own judgment and her appreciations in regard to the same to fix the line of conduct most conducive to the honor and interests of the nation.

By royal order and consent of the council of ministers I inform your excellency for your knowledge and effects.

God, &c.

S. CALDERON COLLANTES.

Letter of Admiral Lagravierè to General Prim.—Annexed to despatch No. 4 of General Prim.

[Translation.—No. 1.]

TEHUACAN, *March* 20, 1862.

MY DEAR GENERAL: What has occurred since your last letter was written? I thought you were in Puebla, with Sir Charles Wycke, and I see to-day by your letter of the 20th that you are still in Orizaba with dispositions very different from what I had a right to suppose. Our engagements are certainly, as you justly say, the same, since we contracted them in concert, and we have formed together a good and wise policy. I have never doubted but that we should come out in an honorable manner. I have no more desire than yourself to burn our ships under a futile pretence, and furnish the Mexicans with a pretext for complaint. I have always been disposed to recognize, with yourself, that it was necessary here to avoid embracing too openly the cause of the party constituting the minority, and which is generally opposed throughout the country; but, at the same time, I have not failed to declare to you, as often as the occasion required, the nature of the counsels I should wish to give to all the parties that divide Mexico.

The establishment of a monarchical government has always appeared to me the only method of putting an end to the dissentions which have made this unfortunate people an object of scandal to Europe. In order to arrive at this termination, I have thought that conciliatory measures were the best. This is the reason why I hastened to sign the treaty of Soledad, thinking that a truce would give us time to work upon minds without appearing to force them, and would permit us to prepare them for the solution that to me seemed the most favorable. When General Doblado gave us notice of the measures of proscription he had just adopted, it appeared to me that our dignity did not permit us to espouse them, and I pronounced myself ready to found upon this ground a declaration of rupture. There exists another point upon which I am ready from this moment to explain myself with the most perfect frankness, without waiting for the opening of the conferences of Orizaba; I refer to the guarantees we must demand of Mexico before treating of the arrangement of matters purely financial.

The government of Mexico might accord us the most complete satisfaction respecting our several claims, without our being for this a whit further advanced. It is not compacts, more or less advantageous, that we require; what we need is the certainty that the government that has signed them will have the strength and will to enforce their execution. The last instructions I have received upon this point are decisive; and even if they were not so, I would take it upon myself to exact that this question should be solved before beginning to discuss the others. I am certain I should have met with support from you in establishing this opinion. I surely did not deceive myself when I thought that in your opinion, as well as in that of Mr. Doblado, the treaty of Soledad was nothing else than the adoption, in principle, of the military occupation of Mexico by the allied forces.

If any doubt upon this point has existed in the mind of the Mexican government, I think it right and loyal to dispel at once all illusions, and make known to it the first exigencies it must count upon. If this communication give rise to immediate hostilities I am ready, as I have already told you, to fall back upon Paso Ancho, and to open a new campaign from this instant. I am equally of opinion that a complete amnesty is requisite, without conditions and reserves, which would allow us to consult the true wishes of the country. Do you find it more advantageous, in agreement with Sir Charles Wycke, to seek, in order to break our convention, a motive, I will not say a pretext, in wrongs which it seems to me date from very far back? You know, my dear general, that I am accustomed to speak to you without reserve, and to disclose to you my whole mind.

You have, with your moderate and prudent conduct, done a great service to this country. You have preserved it from disastrous consequences from an expedition conceived with an exaggerated confidence, and which Spain would not have been able to sustain alone without sensible prejudice to her finances. You have done more. You have facilitated to us the means of tranquilizing Mexico with regard to our intentions, and to make her understand that we have not come to establish a dominion she did not desire. In my opinion it was a fault to have given a color exclusively Spanish to our expedition; firstly, allowing that the number of your troops was much the most considerable; next, for having reserved for your personal illustration and for your military knowledge the charge of creating for yourself a position so preponderant that the action of the other plenipotentiaries must naturally disappear, in part, before your own.

If you had been actuated by sentiments less noble and generous—if you had been merely a soldier, in place of a political man, you would have dragged us fatally into a war, inasmuch as that national feeling, which your prudence alone has assuaged, would have arisen against us. I doubt not, although nothing has been said to me, that the Emperor, in deciding to send here a new army and a general to command his troops, has looked only to giving free scope to the actions of France, and to reserve to it the most complete liberty in its decisions. I certainly shall not interpret this determination as a proof that our alliance is weakened—that it obliges me, even when my sympathies did not impel me to do so, to lend the most active and disinterested co-operation to the Spanish army in whatever position it might be; but I think, at the same time, I should consider the importance given to my mission as a notice that I must not subject my political views to those of any other plenipotentiary.

I should be surprised, my dear general, to be unable to proceed in concord with you, since I repeat that I retract in nothing from what we have already agreed. You will permit me only to be, in future, more watchful against a certain deference which was called forth more by your personal character than by your superior position. In a word, I am resolved to continue, happen what may, until I accomplish the end I have proposed. In order to attain it, I am decided to take advantage of the true sympathy that appears to exist here towards France. Consequently, without disclaiming our alliance, without separating in anything our cause from yours, I insist that it be well understood by all that our expedition is a French expedition, and is at the orders of no one. I should have wished, my dear general, to go myself to give these explanations in person, and arrive as soon as my letter at the appointment you have been pleased to give me, but I find myself still invested with the entire and immediate command of the troops which I have conducted to Tehuacan.

I have not at my orders any officer of sufficiently high rank to be able to confide to him, with all security, a command which may from one moment to another call for the adoption of prompt and decisive steps. I have requested General Lorencez to come and unite with me, or to send me the chief of his staff, Colonel Valazé. Then I shall have greater liberty of action, and I will place myself in agreement with M. de Saligny in order to fix, if necessary, out of Tehuacan, the point of our residence. I desire that the battalion of ———, commanded by General Lorences, at Tehuacan, should continue its march. It is impossible to foresee what may arise from all the complications in which we find ourselves, and I should not be sorry to re-enforce my little army.

Receive, my dear general, the assurance of my highest consideration and entire regard.

E. JURIEN,
Vice-Admiral, Commander-in-chief of the
French expeditionary troops in Mexico.

His Excellency General PRIM,
Count de Reus, marquis of Castilbios, Commander-in-chief
of the forces of Spain in Mexiro.

P. S.—I write to General Lorencez by the mail which carries you this letter, that if the position of the Spanish army should find itself in the slightest degree threatened, the batallion of ———, which left Vera Cruz to unite with me at Tehuacan, should place itself at once under your orders.

E. J.

REPLY OF GENERAL PRIM TO ADMIRAL LAGRAVIERÈ.

[Translation of the annexed No. 2 to the despatch No. 24, of General Prim.]

General Prim to Admiral Jurien de Lagraveirè.

ORIZABA, *March* 21, 1862.

MY DEAR GENERAL: M. Legrand has delivered to me your confidential despatch and esteemed favor of the 20th.

Before all else, I thank you for the order you have given to your battalion of ——— to remain here and help us in case the Spanish troops should find themselves menaced.

In inviting you to allow the ——— to rest awhile here, it was not at all on account of the possibility of their help being needed, since at this moment I find myself perfectly tranquil, threatened by no danger, and, above all, because with my troops I fear no attack from the Mexicans, whatever be their number. I have simply wished to avoid your soldiers fatiguing themselves in case that the conference once met, it should be therein agreed to exact from the governernment what we have a right to exact from it, without departing from the policy followed until this time, and without taking from the principal object of the allied expedition.

Can we permit that, whilst we remain tranquil in our cantonments, the Mexican government should continue vexing our countrymen residing throughout the republic, exacting the payment of the two and a half per cent. upon their respective capitals, as is actually done, General Doblado giving as a pretext that he has the right to demand it? Can we permit the same Doblado to threaten us with the re-establishment of the decree prohibiting the commercial movement between the custom-house of Vera Cruz and the interior if the said custom-house is not restored to him? Can we permit that a forced loan of 500,000 dollars be exacted from six houses in Mexico, three of them Spanish, calculating at 100,000 dollars each?

You see, dear friend, why Sir Charles Wycke and myself have assumed a more energetic attitude than that we held when you left us the last time. I send you enclosed the last letter of Mr. Doblado. You will be able to judge, in seeing it, if such curtness of language in any way suits us.

In General Doblado's letter, and in my explanations, you will find the motive of our warlike attitude; seek for no other, since this alone exists. I do not use with you the policy of a diplomatist, but the most frank. I speak as a true soldier.

From the first you have had the same idea, "to avoid being reproached with having subjected yourself to the Spanish general," and now wish it to be well understood that you will act with perfect freedom, and establish at the same time that in future, (as until now it may have been said that the expedition of the allies was a Spanish expedition,) it is therefore now converted into a French expedition.

Neither you nor I have on any occasion had complete liberty in our own determinations, since we have always found ourselves obliged to act in accordance with the decisions adopted in the conferences, far as regards politics; as to military actions, both of us have been able to act as we thought proper, and I owe you the justice you have done me, acknowledging that for my part I have never, upon any occasion, done anything that might give reason to believe or even to suspect it was not so. As to the Spanish contingent, it was the greatest, for it was composed of 6,000 men, the French consisting of 2,500, and that of the English of 1,000; but not for this has the expedition ceased to be an allied expedition, and as such directed solely by the decisions of the conferences.

Have I ever asked for the least preference? Never. You have seen me give place to yourself and your troops, as well as to our colleagues, the English, and their soldiers.

In fact, the French contingent is the greatest; but I cannot but think that we shall continue to be an allied expedition, with the same liberty of military operation as its chiefs have hitherto enjoyed, and the same subjection, as before, on the part of its chiefs, to the decrees of the conferences, unless your instructions oblige you to withdraw, to act afterwards as a French expedition, which is not likely to be the case, for a thousand reasons which oppose it. We have not yet left for Puebla on account of the indisposition of Sir Charles Wycke, and besides, as General Doblado has not arrived, what could we do with the others?

The ministers of finance and justice have arrived, but I have made known to them that we cannot set out on account of Sir Charles Wycke's illness, and I have invited them to come here, if they carry sufficient powers to treat of the questions referring to the contribution and custom-house. I prefer to burn our ships in the defence of our countrymen, than with the object of exacting an amnesty entire and without exceptions, because we have no right, at this moment, to demand of the government of the republic to permit the return to the country of those exiled for political causes, when it knows that they come with the intention of conspiring and of attacking the government and the constitutional institutions.

Reflect, my friend, upon the subject with your usual justice, and I doubt not, listening to your loyalty, you will think with us. It is to speak of all these weighty matters that I wish we could meet as soon as possible, and for this reason I once more say to you that your troops are safe at Tehuacan as mine are here, since all the Mexican forces united would not dare to attack them.

Come, then; for here, in your house, I expect you, and I extend to you the hand of a true friend.

PRIM.

It is a correct translation.

Mr. Seward to Mr. Corwin.

No. 53.]

DEPARTMENT OF STATE,
Washington, August 23, 1862.

SIR: Your despatches of July 11 (No. 30) and July 28 (No. 31) have been received.

The tide of military success which had been so strong, and had continued in our favor so long, was checked at Richmond, by what has practically proved a drawn battle.

The country for a time, unaccustomed to reverses, seemed at first to be confounded by their disappointment. Disputes about responsibilities for the failure, apprehensions, multifarious and passionate counsels, succeeded, encouraging the insurgents and their agents and sympathizers abroad. The period that has intervened since that event has been marked by few exciting or striking events. Guerilla bands have been emboldened, but have not effected any material change in the military position. The fall of the Mississippi has obliged the sea-going part of our fleet that was engaged at Vicksburg to fall down the river, and owing to the same cause the canal that had been made to divert the stream has not yet proved effective. The assault upon Vicksburg has, therefore, been temporarily suspended. A combined land and naval attack by the insurgents upon Baton Rouge has been successfully resisted. The casualties of the service insensibly reduced our armies so much that, after the battles before Richmond, we found ourselves obliged to let them remain comparatively inactive. The period of inactivity has, nevertheless, been well improved. The President, early in July, called for six hundred thousand troops. The country has responded with earnestness and alacrity. The new levies began to enter into the field a week ago. During that period about thirty thousand of them have joined the different armies, and the increase is now going on, and will continue, at the rate of five thousand or more daily. The army of the Potomac became divided in the battles before Richmond. The large body under the command of General McClellan has rested on the banks of the James river, unable to renew the attack without re-enforcements, while the small body under General Pope was not deemed competent to march southward, and it was even doubtful whether it would be strong enough to protect this capital if the insurgents should abandon Richmond. General Halleck, the new commander of all the forces, therefore, determined to withdraw General McClellan's army from the James river, and to combine it with Pope's, on the line of the Rappahannock, and in front of Richmond. The operation was one of admitted delicacy and difficulty. It is not yet fully completed. The first part of it has been accomplished with consummate ability and entire success. The whole of General McClellan's forces—100,000 strong—have evacuated their position on the James river, and are now on their way to the new front on the Rappahannock. Whether the junction shall be successfully effected is the question which remains undecided, but which will be solved probably before this despatch will have left the department.

Our condition may be summed up in the few words, that we are reorganizing and preparing for a new campaign, which we believe will be successful, and which, we trust, will close the war, with the return of the authority of the federal Union.

Rumors of intrigues abroad for foreign intervention or mediation reach the government continually, but they do not at present produce any real uneasiness.

Since my last despatch to you no correspondence has passed between this government and any foreign state concerning Mexico, or her relations with France.

I do not recapitulate the reports of proceedings on that subject in Europe which are brought by the press, because they may not be authentic, and the President thinks that, whether they are so or not, they could not, in either case, furnish occasion for instructions for your guidance under existing circumstances. We see, with regret, that they do not in any way abate the embarrassments of Mexico, and we earnestly hope she may be successful in surmounting them.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

THOMAS CORWIN, Esq., *&c.*, *&c.*, *&c.*

Mr. Corwin to Mr. Seward.

No. 32.] LEGATION OF THE UNITED STATES OF AMERICA.
Mexico, August 28, 1862.

SIR: Since the date of my despatch No. 31, Mr. Doblado has resigned his position of secretary for foreign affairs, and taken command of a detachment of troops to unite with the corps commanded by the late President Commonfort. Doblado, I learn, is to be commander in chief of this army. This force is to first drive a band of freebooters out of the mountains near Guadalajara, and then hold itself ready to protect the government officials should they be driven out of this city by the defeat of Zaragoza's army, which is to meet the French should they advance on this city.

The French forces, about seven thousand in number, are occupied and fortified at Orizaba, about ninety miles from Vera Cruz, and one hundred and eighty miles from this city. There are various accounts as to the number of re-enforcements to come from France. One account sets them down at 10,000, the other at 20,000. Adopting either number, they will have much difficulty in reaching this city without defeat or great loss. Zaragoza has now under him full fifteen thousand men, most of them inured to war, especially guerilla war, for which the Mexicans, in general, are well qualified. And this is the very kind of war most useful in harassing an army on a long march through such a country as the French must pass through on their march to Orizaba to this city. If the government should be driven from this place by the failure of Zaragoza to check or repulse the French, then it will fly to the nearest safe position in one of the States, most probably to Morelia, a distance of about two hundred miles from Mexico. Then I am satisfied it is the policy of France to set up some government in the capital, call it the government de facto, treat with *it* and retire. This, I think, is the most likely to be the end of "intervention," especially should the French force their way to this capital. If they should not, it is certain, judging from the temper and known characteristics of the French people, that large armies will be sent here, and an idefinite expenditure of money will be required to carry on successively a war of one year or more, to achieve the complete conquest of this country.

If, however, in the meantime the northern forces in the United States shall succeed in gaining a decisive victory over the south, so as to forbid all hope of a division of our Union, I agree with the universal opinion of discerning minds here, both native and foreign, that France will find some honorable way of ridding herself at once from her Mexican troubles. In short, there are satisfactory reasons for believing that the fate of Mexican interests involved in the present contest will be determined favorably, or otherwise, as the tide of conflict in the United States shall set one way or the other. For these reasons all classes here wait with intense anxiety the result of a general battle at Richmond. We have heard nothing from that quarter since General McClellan changed the position of his besieging force, and hope with tremulous uncertainty of mind to get some good news by the forthcoming mail of the British packet, which was due at Vera Cruz yesterday, and will probably reach this city by the 30th instant.

Mr. Fuente, late minister to France, who was so unceremoniously treated lately by the imperial government at Paris, succeeds Mr. Doblado in the department of foreign affairs here. He is a gentleman of good education, great probity, and fine talent. We here, after reading the British "blue book," are at a loss to know how the British and Spanish governments can permit the French to give a turn to the *objects* of the joint intervention at war with the joint treaty agreed to at London; yet they both look on and see the French attempt with arms to overthrow the established government of Mexico, which they both assert is a plain infraction of the treaty agreed to by France *with them*, upon which basis joint intervention was moved.

If the Mexican government had money to maintain and arms to equip troops, it could easily bring into the field fifty thousand effective men. But they have neither money nor arms; and hence, in a contest with a rich and warlike nation, they must be regarded as dependent on the justice of a possible conqueror.

I have been asked to send home a supplemental treaty extending the time of ratification agreed on by the treaty of the 6th of April last. This is urged on the ground that a great and favorable change in our situation may take place after the 6th of October next, when the ratification of our treaty (now on the table of the Senate) expires. And, secondly, if it is not likely that the treaty will ever be ratified, while it is pending and not rejected, Mexico will seem to have one friend, and they be left to hope; whereas, if it be rejected, she will be reduced to despair of either friendly feelings or aid from any quarter.

Your obedient servant,

THOMAS CORWIN.

HON. WILLIAM H. SEWARD,
Secretary of State of the United States, Washington, D. C.

A 1, Despatch No.32.

CITY OF MEXICO, *August* 14, 1862.

SIR: The representatives of the United States of America, of the republic of Ecuador, of his Majesty the King of the Belgians, of the republic of Peru, and of Venezuela, have the honor of addressing your excellency with the purpose of seriously calling your attention to the pamphlet recently published in this city by the Señor Diputado Don Ygnacio Manuel Attimirano, entitled 'Some words with reference to Mr. Wagner."

The unusual manner in which the author of this pamphlet speaks of foreign governments and their representatives accredited to the government of Mexico, using for his purpose language opposed to the usages and customs of all civilized countries in which the consideration due to the high character with which a diplomatic representative is invested is never forgotten—these considerations have induced the undersigned to address to your excellency the present collective note, persuaded as they are that your excellency, as well as the President of the republic, have seen with displeasure the pamphlet to which they refer. The undersigned do not doubt that the Mexican government will take the measures which will be proper not only for the present case, but also those which may be necessary to prevent similar attacks hereafter against foreign representatives; since, if this be not done, it will be impossible to maintain the good harmony and perfect understanding which ought always to subsist between Mexico and friendly nations.

In addressing this note to your excellency, the undersigned would remark that the publication complained of derives its peculiar significancy from the fact that the supreme government of Mexico has assumed the entire control of the public press, and has actually, within the past few months, suppressed the issuing of two newspapers for having published articles which it deemed injurious to the public interests.

The article relative to Mr. Wagner, the minister of Prussia, having been published in pamphlet form, and afterwards reproduced in two of the public papers of this city, without having been noticed by the public authorities, in the eyes of the world, will, we fear, be looked upon as being approved by the government. The undersigned would therefore most seriously call the attention of your excellency to the propriety and necessity of preventing such attacks upon the representatives of foreign governments resident in Mexico.

The undersigned avail themselves of this occasion to offer to your excellency the assurances of their distinguished consideration.

THOS. CORWIN.
FRAN'CO DE P. PASTOR.
AUG. V. KINT DE ROUDENBECK.
MANUEL NICHOLAS CORPAUCK.
NARCISO DE F'CO MARTIN.

[Translation A 2, Despatch No. 32.]

NATIONAL PALACE,
Mexico, August 15, 1862.

The undersigned, chief clerk of the department of foreign relations and government, in charge of its duties, in reply to the collective note which messieurs the representatives of the United States of America, of the republic of Ecuador, of his Majesty the King of the Belgians, of the republics of Peru and of Venezuela, have thought proper to address to him in reference to the pamphlet which has been recently published in this capital by the deputy, Don Ignacio Manuel Altimirano, has the honor, after having laid its contents before the citizen president, and having received his superior opinion, to inform his excellency Mr. Thomas Corwin and the other worthy representatives who subscribe to the aforesaid communication, that as soon as it was known in this department that this publication had been made, it was ordered that it should be denounced by the censor of the press, agreeably to the law; and that recently, and in deference to the wishes expressed in their joint note, the order has been renewed in like manner that the copies of the said pamphlet be collected together, and that hereafter the same may be done with any other publication of whatsoever character, which may contain anything injurious or offensive to the foreign governments or to their accredited representatives near the government of this republic.

The undersigned avails himself of this occasion to renew to his excellency Mr. Corwin, and to his worthy colleagues, the assurances of his very distinguished consideration.

JUAN DE D. ARIAS.

His Excellency THOMAS CORWIN,
Envoy Extraordinary and Minister Plenipotentiary of the United States of America.

[Translation A 3, Despatch No. 32.]

NATIONAL PALACE,
Mexico, August 16, 1862.

The undersigned, chief clerk of the department of foreign relations, in charge of its duties, has the honor to transmit to his excellency the envoy extraordinary and minister plenipotentiary of the United States of America, for his information and that of his colleagues the representatives of the friendly powers accredited near this government, three copies of the same number of official communications, which, under date of yesterday, the censor of the press, the citizen Francisco Lazo Estrada has addressed to this department, with reference to the articles published against Mr. Wagner.

The undersigned avails himself of this opportunity to renew to his excellency Thomas Corwin the assurances of his very distinguished consideration.

JUAN DE D. ARIAS.

His Excellency THOMAS CORWIN,
Envoy Extraordinary and Minister Plenipotentiary of the United States of America, Dean of the Diplomatic Corps.

[Translation.]

OFFICE OF THE CENSOR OF THE PRESS FOR THE DISTRICT OF MEXICO.

To the citizen., minister of foreign relations and government:

SIR: In virtue of your superior order, which I have just received, I have proceeded to denounce the pamphlet which has positively been published under the title of "Some observations to Mr. Wagner in reference to what has occurred with Mr. Altimirano, by Alfred Chavéro," commanding, also, the judge to collect the copies and to issue the proper orders to prevent its sale and circulation, and also that of any other printed similar document. To that end I have again given notice to publishers of the article relative to the law of the press, which forbids them, under penalties, to consent to the circulation of any printed matter before the censor shall have received the first copy which may be printed. Liberty and reform. Mexico, Augnst 15, 1862.

F. LAZO ESTRADA.

MEXICO, *August* 16, 1862.

A true copy.

JUAN DE D. ARIAS.

Mr. Seward to Mr. Corwin.

No. 55.]

DEPARTMENT OF STATE,
Washington, September 15, 1862.

SIR: Your despatch of August 28 (No. 32) has been received. The retirement of Mr. Doblado from the office of secretary of foreign affairs is an important event. This government is impressed with a very favorable opinion of his ability and his integrity.

From your representations I think it must be assumed that the war in Mexico is only now about to begin. It is sincerely hoped here that it may end with as little of public injury as possible, and without a subversion of the free institutions of the republic.

At the moment when I am writing this paper the public mind is disturbed, and even somewhat alarmed. General McClellan succeeded in bringing his army away from the James river and placing it at and near Alexandria without battle and without loss. But General Pope, who, for the purpose of making a diversion in favor of General McClellan, had advanced with a smaller force to the Rapidan, was successfully flanked by a large insurrectionary force, and was thus obliged to retire hastily to the vicinity of Manassas. Becoming involved there in several engagements, in which he suffered severe loss, he at length withdrew to the line of the fortifications in front of this city. These reverses are supposed to have resulted from a want of co-operation and support on the part of some of the corps which had been just before hastily detached from the command of General McClellan and assigned to General Pope's command. An inquiry has been instituted with a view to ascertain with whom the responsibility for the reverses rests.

Meantime the insurgents, profiting by their success, passed up through the country to the places where the Potomac is, at this season, nearly everywhere fordable, and threw a large force across the river, occupying Frederick and the line of the Monocacy. There they appealed to the people of Maryland to rise and join them, while they seemed to threaten equally Washington, Baltimore, and the southern part of Pennsylvania. A considerable force was, however, promptly organized and sent up under General McClellan to meet them. We hear to-day that, having evacuated Frederick, they have entered Hagerstown, thus apparently relinquishing any design of striking at either Baltimore or Washington on the northern side of the Potomac.

The same aggressive policy has been practiced in the west, and for several days the insurgents have been, or seemed to be, marching on Cincinnati and Louisville. Preparations have been made to repel them, and while I am writing the telegraph reports that they are retracing their steps and falling back from the Ohio.

I might give you more details of the military position, but it is likely to change any day. Our forces are being largely augmented, and our generals are confident of their ability to retrieve our losses and restore the former fortunes of the war. While the government indulges this expectation we must abide by results, and news of these will probably reach you sooner than this despatch.

I have the honor to be your obedient servant,

WILLIAM H. SEWARD.

THOMAS CORWIN, Esq., *&c., &c,, &c., Mexico.*

Mr. Corwin to Mr. Seward.

No. 33.] LEGATION OF THE UNITED STATES OF AMERICA,
Mexico, September 28, 1862.

SIR: Nothing has occurred here since the date of my last despatch which could give any new information to our government as to the aim and ultimate designs of the French Emperor upon this part of the American continent. My own conclusions on the subject are founded upon facts, I dare say, better known at Washington than they are here. I need, therefore, only say now that recent events in France and elsewhere on the continent of Europe all tend to render the conquest and subjugation of Mexico by French power quite impracticable. How much of carnage will be required to restore the supposed damaged prestige of the French arms remains to be seen. But this being accomplished, I confidently anticipate a treaty, good or bad, for this republic, by which all French questions with Mexico will be for the present adjusted.

The news from home, received here up to the 2d of September, give some faint hope that the battles about that time fought near Bull's Run may be "the beginning of the end." I wait with eager anxiety for the news by the next British packet, which must reach us in a day or two hence. Mexico, or rather the thinking men of Mexico, look upon our struggle with as deep and absorbing interest as that which they feel in regard to their own impending conflict. They seem to entertain a sad and profound conviction that our failure will be the doom of free government everywhere on the earth.

I am your obedient servant,

THOMAS CORWIN.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States, Washington, D. C.

Mr. Seward to Mr. Corwin.

No. 58.]

DEPARTMENT OF STATE,
Washington, October, 21, 1862.

SIR: Your despatch of September 28 (No. 33) has been received. It is earnestly to be hoped that the war of France against Mexico may last no longer and have a conclusion no more unfavorable to Mexico than you anticipate.

The present military situation here may be described in a few words. Our spring campaign, so fruitful in victories, closed with reverses in the last weeks of July. An insurgent invasion of the loyal States began with successes in August and was arrested in September. Our armies are now renewed, our naval force increasing, and a decisive campaign will soon be opened. The insurgents excited in European capitals the most sanguine hopes of the success of their campaign of invasion, promising nothing less than the capture and capitulation of Washington, with the occupation of Cincinnati, Louisville, New Orleans, Baltimore, and Philadelpaia. They built high hopes of recognition upon this magnificent, though precarious, foundation. From Europe we hear little that is definite, but there is manifestly some difficulty there in digesting disappointments. The abuses of the neutrality proclaimed by the government, which are daily committed by British subjects in British ports and on the high seas, have become not merely annoying, but deeply injurious. We are doing everything possible to prevent a ripening of these disturbances into a war upon the ocean, which would probably leave no nation free from its desolating effects.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

THOMAS CORWIN, Esq., *&* ., *&c.*, *&c.*, *Mexico.*

SWITZERLAND.

Mr. Seward to Mr. Fogg.

No. 18.]

Department of State,
Washington, March 10, 1862.

Sir: Your despatch of February 7 (No. 15) has been read with much interest. The progress of our arms has, however, so greatly changed the aspect of our affairs at home and abroad that I need not now dwell upon the principal subject you have so ably discussed.

As you may well suppose, our attention has been directed to the extraordinary proceedings which are taking place in Mexico. We shall be just to ourselves, and at the same time shall practice the prudence that will avert any new complication in our affairs.

To-day the insurgent army is retreating from the position it has so long and so uselessly held in front of the capital. The war is retiring within the limits of the States which began it with reckless haste, and which have hitherto carried it on with intemperate zeal, under the expectation that they would escape from the scourge it was inflicting upon States less disloyal than themselves.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

George G. Fogg, Esq., *&c., &c., Berne.*

Mr. Fogg to Mr. Seward.

No. 25.]

United States Legation,
Berne, October 25, 1862.

Sir: Your despatch of September 26 (No. 26) is received. Since writing mine of September 4, to which yours is in acknowledgment, I have had more opportunity to form a judgment as to the probability of a large emigration of European laborers to the United States. The result has been to somewhat modify those first formed and expressed in my former despatch.

The facts and suggestions of your circular on that subject have been published in nearly all the Swiss papers. At first, and when the fortunes of war were darkest against the Union arms, they were received with a smile of incredulity. People had been receiving none but war news from America for a year past, and had come very generally to believe all the energies of the country were absorbed by the possession of arms.

The information elicited by your circular, confirmed by the collateral facts which every week is bringing to public attention, has wrought a very considerable modification of the first unfavorable impressions, Judging from what I *now* see and hear, I shall not be surprised to see a resumption of the tide of emigration from Switzerland and Germany, with the early spring much like that of former years. The general success or failure of our armies, during the winter will, however, have great influence upon the amount of emigration. The mass of those contemplating going to America are those who want to make homes for themselves and their children. They want a free country and ultimate peace, and unless they can see a proximate promise of this they will not go.

Let us have the Union restored without slavery, and the supremacy of the federal government everywhere asserted and acknowledged, and we will see more and a better class of emigrants to the United States from Europe than ever before. But people must first see that we are going to have a republic and a government there. Thus far, nearly all the organs of public intelligence in Europe, and almost all the public men, whether speaking through the government or the press, have been for us ravens croaking and prophecying our ruin. I trust to see events of the next few months in America shut their mouths.

With the highest respect, your obedient servant,

GEORGE G. FOGG.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States of America.

DENMARK.

Mr. Seward to Mr. Wood.

No. 23.]

Department of State,
Washington, January 22, 1862.

Sir: Your despatch of the 31st of December (No. 42) has been received. I trust that the hostile spirit manifested towards us in Great Britain will have subsided before this despatch shall reach its destination.

The recent successes of our arms in Virginia, in Missouri, in South Carolina, in Kentucky, and in North Carolina, operating together with the patriotic action of Congress in regard to finances, have inspired the whole country with a strong confidence in the speedy success of the cause in which we are engaged. The insurrection has manifestly culminated, and the pressure of the Union armies upon it on every side is becoming irresistible.

I am, sir, your obedient servant,

WILLIAM H. SEWARD

Bradford R. Wood, Esq., *&c., &c., Copenhagen.*

Mr. Seward to Mr. Wood.

No. 24.]

Department of State,
Washington, February 10, 1862.

Sir: Your despatch of January 7 (No. 43) has been received and read with the interest which it was calculated to excite.

The improved condition of affairs at home will probably, in due time, modify the adverse opinions existing abroad.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Bradford R. Wood, Esq., *&c., &c., Copenhagen.*

Mr. Seward to Mr. Wood.

No. 26.]

Department of State,
Washington, February 24, 1862.

Sir: Your despatch of February 3 (No. 47) has just been received.

The sadness and despondency with which you, on that so recent day, surveyed our condition and traced its supposed hopelessness to assumed errors of the administration in directing the conduct of the conflict come up now in strange contrast with the observances which the government and the whole people are making in honor of the memory of the father of our country, endeared to us now more than ever by the indications that that country is, through the policy which is thus questioned, emerging safely from its sea of troubles, foreign as well as domestic, with reassurances of an immortal existence.

Will you avail yourself of this auspicious change to represent to the government of Denmark, in a courteous manner, that we look to its liberal administration with much confidence for an early revision of the decrees which so unwisely recognized our now failing insurgents as a formidable belligerent power, and thus produced embarrassments of commerce injurious to both countries, and especially prejudicial to the United States, the first and fastest friend of commercial freedom in the world.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Bradford R. Wood, Esq., &c., &c., *Copenhagen.*

Mr. Seward to Mr. Wood.

No. 29.]

Department of State,
Washington, April 8, 1862.

Sir: Your despatch of March 18 (No. 54) has been received.

We are not discontented that the Danish government do not incline to enter into a treaty just now modifying belligerent rights in maritime war. We have made overtures in good faith to the great maritime powers. They have declined to entertain them, except on conditions which we cannot concede. Events are not unlikely to affect the relations existing between those powers, and they will probably in due time find it their interest to renew the debate with us. It would be unavailing for any great purpose to negotiate with the lesser powers, and our motives in doing so would perhaps be misapprehended by the greater states. I have noticed, with much interest, the recent debates on the general subject in the British Parliament, and I regret that Mr. Cobden's ill health prevented the world from receiving the great argument which was expected from him.

All things cannot be done at once. We have occupation enough arising out of our civil war. Let us recover our unity and with it our prestige, and then we shall be able to reappear as reformers among the nations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Bradford R. Wood, Esq., &c., &c., &c., *Copenhagen.*

Mr. Seward to Mr. Wood.

No. 31.]

Department of State,
Washington, April 22, 1862.

Sir: Your despatch of March 21 (No. 55) has been received. You will learn with pleasure the unbroken series of successes with which the national arms have recently been favored, and will no doubt find that those successes produce some modification of public opinion in Europe concerning the probable end of the attempt of factious leaders to divide the nation and subvert the federal Union.

One main element of the insurrection has been the want of faith, on the part of loyal citizens, in the zeal, energy, and wisdom of the government and its sincere determination to suppress it. While all have professed faith in God, not many have always exercised that measure of faith in man which God requires in every case as a condition of the divine blessing upon human efforts. Many persons, because they were not always kept informed of the policy of the administration, have seemed to think that it had no policy and was pursuing no measures. So fast as policy and measures were disclosed, disputes, of course, arose about their wisdom and probable efficiency. Despondency, resulting from these doubts and disputes, has tended to demoralize the nation and to encourage its enemies. While we knew that exertions were being made here which surpassed anything ever seen in history, and upon which we were confidently resting our hopes for a speedy and safe conclusion of the campaign, it was not thought to be wise to place on record with apparent acquiescence apprehensions expressed by our representatives abroad which implied convictions of failure in duty on the part of the government, and even a want of courage and heroism on the part of the soldiers of the Union.

Now, when the crisis has probably passed, it is proper for me to state that there has been no moment when the administration has despaired of the republic or could, without regret, see despondency concerning it indulged by those who were representing it abroad.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

BRADFORD R. WOOD, Esq., *&c*, *&c.*, *&c.*, *Copenhagen.*

Mr. Seward to Mr. Wood.

No. 40.]

DEPARTMENT OF STATE,
Washington, September 25, 1862.

SIR: Your despatch of September 9 (No. 76) has been received. If I understand it, you are laboring under apprehension that the British government will soon recognize the insurrectionary government. It is very certain that the United States have recently been favored with very few demonstrations of kindness and good will from Great Britain. Yet it gives me pleasure to assure you that our advices from that country do not justify immediate concern in regard to public matters in that quarter.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

BRADFORD R. WOOD, Esq., *&c.*, *&c.*, *&c.*

Mr. Wood to Mr. Seward.

[Extract.]

No. 82.] LEGATION OF THE UNITED STATES,
Copenhagen, November 4, 1862.

SIR: A. Dudley Mann, the confederate commissioner, and whom I have known for years, was here last week. He was accompanied by his son, Grayson Mann, to act as interpreter if necessary. Mr. Hall, the foreign minister, refused to see him on the usual ministerial conference day, or to see him at all in his representative capacity, but received a call from him the next day as a private citizen. Mann stated, in substance, that the confederates were unconquerable, and would achieve their independence. Hall replied, "that he had a different impression." Mann rejoined, "that time would soon show the truth of his assertion, and he hoped that the government of Denmark would not be the last to acknowledge their independence." To which Mr. Hall said "that though Denmark might not be the last to do this, she certainly would not be the first."

Mann represented here that we were on our last legs, and for the truth of his assertion referred to the price of gold with us, while he said it was so much less with the confederates.

Doctor Leas, our late consul at Stockholm, writes me from Hamburg, on the day of his sailing for the United States, that the secessionists had held a conclave in that city to act on the northern powers. From this I infer that, with the approbation of the French Emperor, a simultaneous movement is being made with all the powers of this continent for acknowledging the independence of the Confederate States.

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I have the honor to remain your obedient servant,

BRADFORD R. WOOD,
Minister Resident &c.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

SWEDEN.

Mr. Haldeman to Mr. Seward.

[Extract.]

No. 11.]

UNITED STATES LEGATION,
Stockholm, December 10, 1861.

SIR: I have the honor to inform you that American affairs absorb all other questions, and are the chief subject of discussion both in diplomatic and commercial circles. The arrest of the southern commissioners created great excitement in this quiet city. Count Manderstrom, minister of foreign affairs, kindly sent me the telegram as received by him, with a note expressing strong doubts of its truth. The information we have received has come through an English medium. All are waiting to hear what action will be taken by the cabinet at Washington. The arrest is generally condemned as a violation of the law of nations, and considered a "*casus belli*" unless disavowed. The strong and decided articles in the French press denouncing the act of Captain Wilkes as illegal have influenced public opinion to a great extent.

The account of the flattering reception of Count Piper by the President and Secretary of State has been received with great satisfaction by this government. The address of welcome by the President was published by the entire press in Sweden and Norway. * * * *

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I remain your obedient servant,

J. S. HALDEMAN.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Haldeman to Mr. Seward.

[Extract.]

LEGATION OF THE UNITED STATES,
Stockholm, January 10, 1862.

SIR: I have the honor to inform you that we have received by telegram intelligence of the peaceable settlement of our difficulty with England. The news has been received with great satisfaction. I have been congratulated by several legations. The press of Sweden is free; the American side of the question was taken by one of the most influential papers, and discussed with great vigor and ability.

I remain your obedient servant,

J. S. HALDEMAN.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Haldeman to Mr. Seward.

[Extract.]

LEGATION OF THE UNITED STATES,
Stockholm, April 24, 1862.

SIR: * * * * * * *

It is impossible to convey to you the excitement and joy created in this city by the news of the naval battle between the Monitor and Merimack. Captain Ericsson is a Swede; born, and educated in this city; his brother, Colonel Ericsson, whose acquaintance I have made, is engineer-in-chief of all the railways in Sweden and Norway. Captain Dahlgren's parents were Swedes who emigrated to America; hence they say, with that pride peculiar to a brave and spirited though numerically weak nation, that a Swede invented the Monitor, a Swede invented the guns with which she was armed: "Ergo," how great is the obligation—the debt of the United States to the genius of Sweden. We have also received a telegram of the great victory near Corinth. No one *now* doubts of a speedy termination of the rebellion and triumph of the government. The result of my diplomatic experience is that in all international affairs respect and sympathy are the natural parasites of success. * * * * * *

I remain your obedient servant,

J S. HALDEMAN.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Haldeman to Mr. Seward.

[Extract.]

No. 23.]

LEGATION OF THE UNITED STATES,
Stockholm, September 18, 1862.

SIR: * * * * * * *

I have also the honor to acknowledge the receipt of circulars Nos. 20 and 21. I think all idea of intervention has passed (if once entertained) from the mind of the governments of Europe. France, it is said and admitted, urged England to interfere to involve England in war or entangle her with America. The result would have left French influence supreme on the continent of Europe, and enabled the Emperor to extend the boundaries of the Empire to what is called, in political parlance, the "ancient and natural frontiers of France." * * * * * *

I remain your obedient servant,

J. S. HALDEMAN.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c.

TURKEY.

Mr. Seward to Mr. Morris.

No. 19.] Department of State,
Washington, March 31, 1862.

Sir: Your despatch of February 23 (without a number) has been received. You did very well in submitting our propositions to the Sultan's government for meliorations of the law in regard to neutral rights in maritime war, and the President is gratified with the very favorable attention which was bestowed upon the subject by the minister for foreign relations.

In submitting these propositions to all the maritime powers the United States were moved by a sincere desire for such a general acceptance of them as would insure their incorporation into the law of nations. Some of the powers most deeply interested, however, having insisted upon attaching to their acceptance of the propositions a condition which the United States cannot grant, the President has instructed me to suspend the negotiations for the present, not only with these powers, but with all other states.

You will thus see that the result at which you have arrived at Constantinople is exactly the one which we have contemplated and desired.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Edward Joy Morris, Esq., *&c., &c., Constantinople.*

Mr. Seward to Mr. Morris.

No. 20.] Department of State,
Washington, April 1, 1862.

Sir: Your despatch of February 25 (No. 11) has been received.

Seeing no cause to question the justice or the expediency of the provisions of the treaty you have negotiated, I have the President's instructions to submit the same to the Senate for its consideration.

Your proceedings in the negotiation and the reasons assigned for them in your despatch are approved.

Your suggestions of the desirableness of a naval force in the Levant have been referred to the Navy Department.

It is but too manifest, as you have remarked, that our national prestige is impaired in foreign countries. It would be strange if the Turkish people and the dwellers in the Levant generally, accustomed as they are to wait upon power with respect, and visit weakness with disdain, should have failed to discern this change of our condition.

Happily we know how it has occurred. We are a house divided against itself. But experience of faction is an instruction often necessary to the most generous states. I feel quite sure that the unhappy domestic strife which has so severely shaken the republic, and has betrayed it to the disrespect of even barbarous powers, will soon come to an end.

It may be confidently expected that the adjustment of the balance of political forces of the country, which will result from the present conflict, will be satisfactory and permanent, because it will be determined with reference to the actual condition and anticipated progress of the country, and not with reference to the interests and prejudices of past generations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Edward Joy Morris, Esq., *&c., &c., Constantinople.*

Mr. Seward to Mr. Morris.

No. 26.]

Department of State,
Washington, June 4, 1862.

Sir: Your despatch of May 6 has been received.

The President received with profound satisfaction the decree of his Majesty the Sultan, which interdicts the entrance of pirates engaged in depredating upon the commerce of our country into the ports of the Turkish empire. This proceeding is the more honorable to that prince, and it will be the more gratifying to the United States, because it is an unreserved acceptance and application of the principles of international law, which this government has maintained from the beginning of the civil war in which we have so unnecessarily and so unfortunately been involved during the past year. Nor is the proceeding any the less entitled to our grateful acknowledgments because the piratical operations of the insurgents, such as they have been, have already been brought to an end. It will, on the contrary, be to the honor of the Sultan of Turkey that he took the lead in conceding to the United States rights which it is now expected will soon be conceded by all the other maritime powers.

You cannot express these sentiments too strongly in your conversation with the minister for foreign affairs.

Care will be taken to give due publicity to the decree and also to the imperial order prohibiting, for the present, the importation of gunpowder into the Turkish dominions.

I am specially charged by the President to renew the assurances of his satisfaction with the manner in which you have performed thus far the duties of your important mission.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Edward J. Morris, Esq., *&c., &c., Constantinople.*

Mr. Seward to Mr. Morris.

No. 36.]

Department of State,
Washington, September 19, 1862.

Sir: Your despatch of August 28 (No. 28) has been submitted to the President. It is a source of sincere satisfaction that the Turkish government has taken means to bring to just punishment the police officers through whose delinquency the assasins of the late lamented missionary, Mr.

Merriam, made their escape, and it is still more gratifying that even several of the murderers have been arrested and are likely to receive the reward of their atrocious crime. It is perceived that the position which you hold between the missionaries of our country, zealous in the work of their ministry, and the Turkish government, which, of course, is sensitive in any case of difference between those missionaries and their converts, on the one side, and Musselman subjects on the other, is a very peculiar and trying one.

The authority of this government, so long as our country remained undivided and harmonious, not only secured acquiescence at home but respect and concession everywhere abroad. Many of our citizens, still pursuing the same course of duty and of interest which they prosecuted so safely before the occurrence of the present insurrection, are unable to see how it is that they meet with obstacles heretofore unknown. Some of them complain that travel across our inland plains is suffered to be molested and interrupted, and that Indian massacres on our frontiers go unpunished. The Mormons assume an unfriendly and menacing attitude. Merchants importunately demand redress for injuries and insults alleged to be offered to them in the Spanish-American republics. Naturalized German emigrants invoke the protection of this government against conscription, experienced when they return to their native States. Claims on foreign countries are unheeded, and piratical vessels are entertained, while our own national vessels are denied the hospitalities guaranteed by treaties in some of the maritime states. The Turkish government becomes restless in view of the activity of our missionaries. The reason for all this is plain enough. We are divided and at war among ourselves. The division is not a peaceful quarrel, and the civil war is not a mild one. We have divided upon the question of fealty to our Constitution, to say nothing of freedom or slavery. The war thus far has been one of the greatest of human conflicts. All the world knows, even if we do not, that we cannot wage this war, on our part, with effect, and, at the same time, unnecessarily and rashly engage in wars with other nations which may deny us justice or withhold from us their accustomed respect. However it may be with our citizens, the government, at least, does not misunderstand the crisis. It knows that our enemies are not strangers, but those of our own household. That if we lose the national life every foreign interest must perish. While in saving the national life we shall recover the power of saving everything else at home or abroad that is valuable to us. But, to save the national life, we must refrain, as heretofore, from foreign controversies. The Turkish government has been singularly just and liberal towards us in this emergency. It deserves our forbearance and our friendship. But the government is far more enlightened than the people over whom it presides. The President thinks that much of the friendship manifested by the Turkish government towards the United States results from the discretion, gentleness, and frankness which you have hitherto practiced in executing your mission. He is content to recommend to you a perseverance in the same course.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Mr. Morris to Mr. Seward.

[Extract.]

No. 1.] Legation of the United States of America,
Constantinople, *August* 25, 1861.

Sir: * * * * * * * * *

I have visited the Grand Vizier and other functionaries of the Sublime Porte, with whom I have official relations. I was cordially welcomed as the representative of the United States, and the most friendly feeling was manifested to the government which I have the honor to serve.

As my predecessor, whose sympathies were entirely with the secession movement, had conveyed erroneous impressions to the Ottoman government, touching the existing war in the United States, I represented the struggle in its true light, as one for the maintenance of the government, whose existence was assailed by a conspiracy without any pretext or justification whatsoever. The Grand Vizier, as the organ of the government, expressed his desire for the preservation of the Union of the States, and exhibited a warm sympathy with the Union cause. He spoke of the friendly relations that had always existed between the two nations, and assured me that the disinterested friendship of the United States was properly appreciated, and that it would always give the Ottoman government pleasure to reciprocate it. Nothing could be more grateful to me than the sincere good-will shown to the government of the United States by the Turkish cabinet in this dark hour of its history, and that, too, when some of the Christian powers of Europe seem to be indifferent to its fate. It shall be my constant aim to cherish and confirm this friendly spirit.

In this connexion I am happy to say that every one connected with the representation of the United States at this place is ardently loyal to the Union. Mr. John P. Brown, the dragoman and secretary of the legation, has exerted his well known influence with the Turkish government in behalf of the Union, and with great effect. In this emergency, as at all times, he has shown himself a trustworthy, loyal, and valuable officer of the United States, eminently worthy of its confidence. The consul general, Mr. Heap, is equally true to his country. This unity of sentiment of course increases the influence of the United States representation at this point.

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With great respect, your obedient servant,

E. JOY MORRIS.

Hon. William H. Seward,
Secretary of State.

Mr. Morris to Mr. Seward.

[Extract.]

No. 4.] Legation of the United States of America,
Constantinople, *October* 25, 1861.

Sir: * * * * * * * *

I have the honor to advise you that I had an audience with the Sultan on the 22d ultimo, on which occasion I delivered my letter of credence as minister resident, and presented to him the congratulations of the President of the United States on his accession to the throne. On that occasion I pronounced the following address to the Sultan. It was spoken in French, as the minister of foreign affairs, who accompanied me, desired, to avoid the necessity of a triple translation.

"The President of the United States of America having been pleased to select me to represent the government of the United States near your Imperial Majesty, in the character of minister resident, I have the honor to present to your Majesty my letters of credence.

"The President has also charged me with the agreeable duty of offering his most cordial congratulations on the occasion of the accession of your Majesty to the throne of your ancestors. The government and people of the United States have learned with sincere satisfaction the accession of a sovereign whose elevated character and enlightened mind offer the highest assurances of the happiness and prosperity of the Ottoman empire.

"The President has instructed me to convey to your Majesty the assurance that he will be pleased to avail himself of every occasion to manifest the disinterested friendship of the government of the United States for that of Turkey, and his desire to modify the existing treaty so as to improve as far as possible the commercial interest of the two countries.

"I congratulate myself on having been appointed to represent the United States of America near your Imperial Majesty, and I beg your Majesty to do me the justice to believe that it will be my constant aim to do all in my power to maintain and extend the amicable relations which have existed in unbroken harmony between the two nations from the commencement of their intercourse to the present day."

The reply of the Sultan was of the most cordial and friendly character. He desired me to express to the President of the United States his thanks for his friendly sentiments, and for his sympathy with the welfare of the Ottoman empire, and to assure him that he properly appreciated the disinterested friendship which the government of the United States had ever manifested towards that of Turkey. It would always give him pleasure to remember and reciprocate the good will which had uniformly marked the intercourse of the United States with the Ottoman government. He begged me to convey to the President the assurance of his high regard and esteem. After a few words of grateful welcome to myself, he expressed his sympathy with the government of the United States for the troubles in which it is involved, and the hope that the war would soon terminate with the maintenance of the American Union in all its original power and integrity, and with the restoration of peace and concord among the American people.

I am happy in thus being able to report to you that the United States has a true and loyal friend in the sovereign of this great empire. The same feeling inspires all his ministers, and I am sure that this feeling is as sincere as it is warm and generous. I need not assure you that it will give me great pleasure to cultivate and confirm this good feeling in every possible way.

As an instance of the loyalty of American citizens to the Union of the States, I beg to mention the fact that of the one hundred and fifty American missionaries resident in this empire there is not one who sympathizes with the secession rebellion. This fact is the more remarkable as the missionaries are from every part of the United States. Owing to their knowledge of the languages of the country, and their extensive intercourse with the people, their influence on public opinion is considerable. The prayers of all of them are daily offered for the preservation of the federal Union and the triumph of the Union arms.

I have the honor to be your obedient servant,

EDWARD JOY MORRIS.

Hon. WM. H. SEWARD,
Secretary of State.

Mr. Morris to Mr. Seward.

[Extract.]

No. 14.] LEGATION OF THE UNITED STATES OF AMERICA,
Constantinople, March 26, 1862.

SIR: I have the honor to inform you that, in conformity with my request, the minister of foreign affairs has issued instructions to the governors of the maritime provinces of Turkey, and of the islands of the archipelago prohibiting Ottoman subjects and foreigners from fitting out vessels destined for privateering against the commerce of the United States. They are also instructed to prevent the entrance into the ports and waters of their respective provinces of privateers, and of the prizes made by privateers or by armed vessels, except in cases of marine disaster. In the latter case, they are to be allowed to remain only sufficient time to repair damages, &c.

The term "armed vessels" I have deemed it expedient not to object to, as it will cover the case of the prizes of the Sumter, if, in the event of her appearance in the Turkish waters, the Ottoman government should, after the precedent of England, France, and other nations, regard her as a man-of-war. * * * * * * * *

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With great respect, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Morris to Mr. Seward.

[Extract.]

No. 17.] LEGATION OF THE UNITED STATES,
Constantinople, May 6, 1862.

SIR: I have the honor to acknowledge the receipt of your despatch (No. 20) bearing date April 1, 1862, and to transmit to the department a copy of the vizerial of the Sublime Porte interdicting the entrance into its ports and waters of privateers or other vessels acting against the shipping of the United States of America.

This order is even more stringent than stated by me in a previous despatch. It is, in fact, an absolute and unconditional prohibition of the entrance of privateers or any class of vessels into the ports and waters of the Ottoman dominions fitted out for the purpose of preying on the commerce of the United States of America. The naval vessels of the United States are not subjected to any restrictions whatsoever. This proceeding is confirmatory of the liberal and friendly spirit to which I have heretofore had occasion to refer as characterizing the relations of the Ottoman government with the United States of America.

I have the honor to enclose the decree touching the prohibition of the importation of gunpowder, &c. * * * * *

With great respect, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Official copy of a vizerial order addressed to all the public functionaries of the Sublime Porte on the sea-coast of the Ottoman empire, dated the 24th Cheval, 1278, (*April* 23, 1862.)

EXCELLENCY: According to the principles of international rights established in the late treaty made at the conference held in Paris, the use of ships-of-war and other vessels as privateers (korsan) was entirely abolished by all the great powers therein represented.

The legation of the United States of America has now requested that, conformably with the preceding, instructions be given by the Sublime Porte to its functionaries on the sea-coast of the empire for the purpose of maintaining the principle adopted as aforestated.

As it has, therefore, been here deemed necessary, in view of said principle, that effective measures should be taken to prevent vessels of the United States of America from being exposed to injury in any of the ports and waters of the Ottoman dominions by privateers such as those alluded to, your excellency will, in case any privateers or armed vessels preying on the commerce of the United States attempt to enter them, with or without prizes, adopt such means as will prevent them from carrying the design into execution.

His Highness Aali Pacha to Mr. Morris.

[Translation.]

No. 5624.] SUBLIME PORTE, DEPARTMENT OF FOREIGN AFFAIRS,
February 28, 1862.

SIR: I have the honor to notify you that, by a decree of his Imperial Majesty the Sultan, the importation of powder, cannon, all kinds of military arms, and munitions of war, have just received a general prohibition in all parts of the Ottoman empire, conformably with the stipulations of the treaty of commerce concluded the 25th of February between the Sublime Porte and the government of the United States of America.

This prohibition will be put in force from the $\frac{1}{13}$ of March of the present year. Special regulations will soon be published on this subject, detailing the articles which the Sublime Porte may allow, as an exception, or provisionally, to be imported, as, also, the obligations to which they will be subjected on their disembarkation in a port of the empire, according to the terms of the treaty. I therefore beg you, sir, to be so good as to give such orders as may be deemed necessary to those who should be acquainted with this measure, so that masters of vessels, merchants, coasters, and others, citizens of your government, may be informed of the preceding, and called upon to submit to the measures adopted on this point.

Be pleased, sir, to accept assurances of my perfect consideration.

AALI.

HON. E. JOY MORRIS,
Minister Resident from the United States of America.

Mr. Morris to Mr. Seward.

[Extracts.]

No. 22.] LEGATION OF THE UNITED STATES OF AMERICA,
Constantinople, July 3, 1862.

SIR: I have the honor to acknowledge the receipt of despatches Nos. 25 and 26. I shall communicate the contents of despatch No. 26, relative to the exclusion of privateers from Turkish ports, to the minister of foreign affairs. It will be to him and his sovereign a source of no ordinary gratification to know that the vizerial order on this subject has been received in such a friendly spirit by the government of the United States.

The 25th of June, the first anniversary of the accession of the present Sultan to the throne, was celebrated throughout the empire. It has been established as a public fête, never having been observed heretofore. The idea is a remarkably happy one, as it will be the only civil fête, all the other festivals being of a religious character, respected only by their respective sectaries. In this fête all the populations of the empire unite around the throne, and both sovereign and subjects are brought, as it were, into immediate contact with each other, without regard to creed or race.

The diplomatic corps was received in person for the first time in the history of the government on such an occasion. The reception took place at the palace of Dolma-Bagtche, the residence of his Majesty. The following address was made to the Sultan, by Sir Henry Bulwer, on the part of the diplomatic corps. It was pronounced in French and immediately translated to the Sultan, paragraph by paragraph, by the minister of foreign affairs, who acted as interpreter of his Majesty on this occasion:

"As the interpreter of the sentiments of the diplomatic corps now surrounding the throne of your Imperial Majesty, permit me, sire, to assure you that it is our most earnest desire that every returning year may find the day we now celebrate consecrated by new benefits conferred on your people, and rendered happy by the spectacle of an empire owing its prosperity to the energy and wisdom of its sovereign.

"We thank you, sire, for affording us this opportunity of uniting our felicitations with those of your subjects. If they regard your life as the most sure guarantee of their future, we entertain but one idea in the expression of our hope for the well being of Turkey and the long duration of your reign."

After a short response to this address, the Sultan passed down the line, speaking to each member of the corps. When he came to me he inquired in quite an earnest manner as to the state of the war in the United States. I replied that it was a great calamity for us as well as for the world; that it was waged on one side for the destruction of a government which had been to the people living under it a source of countless blessings, and on the other for the preservation of the American Constitution; but that it would soon end with the maintenance of the Union and the free institutions of the country. His Majesty replied that civil war was an incident in the history of all nations, and he begged me to convey to the President his most ardent wishes for the prosperity and continued union of the republic of the United States. I thanked his Majesty for his kind wishes and assured him that both the government and people of the United States were gratefully sensible for his friendship and good will, and particularly so in this dark period of their history. The manner of the Sultan, while addressing me, was very cordial and manifested a perfect sincerity of purpose.

* * * * * * * *

Having been recently asked by persons connected with the leading European legations here my opinion as to the success of any propositions of mediation in the American war, I have uniformly replied that the President will never give his assent to any foreign proposition for the dissolution of the Union, and that any attempt to carry such propositions into effect would disturb the peace of the world.

With great respect, your obedient servant,

E. JOY MORRIS.

Hon. William H. Seward,
Secretary of State.

Mr. Morris to Mr. Seward.

No. 32.] LEGATION OF UNITED STATES OF AMERICA,
Constantinople, October 16, 1862.

SIR: I have the honor to inform you that Ahmet, one of the assassins of the American missionary, Rev. J. G. Coffing, who was murdered some months since in the vicinity of Alexandrette, was executed by decapitation at Adana on the 25th of September last.

The proceedings, according to the report of the United States consular agent at Adana, were conducted with unusual solemnity, in order to make a lasting impression on the public mind. The firman ordering the immediate execution was presented and publicly read, after which the sound of a trumpet was heard, and the prisoner appeared in chains, followed by one hundred regular troops. Khoorshid Pasha, the governor of Adana, the consular agents of the United States of America, France, Russia, and Italy, followed in procession to the place of execution.

After the criminal had been surrounded by the armed soldiers, the chains were taken from his neck and feet, a jug of water was given him to drink, and he was allowed to perform his prayers and ablutions, (being a Mussulman,) which lasted for about half an hour. Afterwards he was made to kneel in the centre, his eyes being bound with a white handkerchief; and in the presence of the above-named persons, and at least 5,000 spectators, he underwent the punishment of his crime. Not a single word was uttered by any spectator against the execution, and many, in sign of their approbation of it, exclaimed aloud, "*Padishah sagh olsoun!*"—"May the Sultan live!"

The confederate assassin, Kaleel, is secreted in the territory governed by Mustapha Pasha, kaimakan of Payas. As he does not appear to be acting in good faith, in redeeming his promises to deliver him up, I have sent in a note to the Porte requesting his removal from office. I hope, however, that the efforts of Khoorshid Pasha, the energetic governor of Adana, to whom we are much indebted for bringing to justice the murderer Ahmet, will also be successful in securing Kaleel.

I beg to repeat my acknowledgment of obligations to the government of the Sultan for the steady support it has given me throughout this case, regardless of expense and local and religious prejudices. The instructions sent hence, at my request, to the local authorities, were of such a nature as to compel them to the most active exertions, and they were enforced by the presence of Faik Bey, specially by the Porte to superintend these proceedings, and to see that they did their duty.

From first to last, J. A. Johnson, esq., United States consul at Beyrout, despite the pestilential fevers of the country and the perils of secret assassination, has pursued this case with most extraordinary energy. His conduct is of such a rare character, and characterized by such fearlessness and conscientiousness in the discharge of duty, that I deem it an act of justice to respectfully suggest that it is deserving of your especial commendation. Such an officer does honor to the government he represents.

The persevering pursuit of the executed assassin through the mountains and wilds of Syria, and the summary manner in which he was brought to justice, will do much to enforce respect for the lives and property of American citizens residing in or travelling through the Turkish empire. It is the more striking because of the impunity which criminals have too often enjoyed who have murdered the subjects of other Christian powers.

With great respect, your obedient servant,

E. JOY MORRIS.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Morris.

No. 41.]

DEPARTMENT OF STATE,
Washington, November 18, 1862.

SIR: Your despatch of October 16 (No. 32) has been submitted to the President, and is approved.

You will take an early occasion to express to the Sultan the satisfaction which the President has derived from the good faith which his Imperial Majesty has so manifestly shown in bringing to just punishment one of the felons who so causelessly and so mercilessly assassinated the revered American missionary, Mr. Coffin.

The President sincerely hopes that the efforts which the imperial government is making to secure the arrest and punishment of the accomplice, who is yet at large, will prove successful. Painful as these examples of justice are in themselves, they are nevertheless humane in their character, since there is no other means of securing the safety of innocent and unguarded men in their journeyings through certain portions of the Turkish empire.

The fidelity, zeal, and perseverance which Mr. Johnson, our consul at Beyrout, has exercised, are highly appreciated by the President, and you are authorized to express that approbation to the consul.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

E. J. MORRIS, Esq., *&c., &c., &c.*

JAPAN.

Mr. Harris to Mr. Cass.

No. 26.] LEGATION OF THE UNITED STATES,
Yedo, August 1, 1860.

SIR: The clause of the third article of the treaty of Yedo, which gives American citizens the right of residence in this city for the purposes of trade, after the 1st of January, 1862, has occupied much of my thoughts for some months, and has caused me not only solicitude, but anxiety.

The population of this city is widely different from that of any other place in the world. Its chief elements consist of the hereditary princes, the nobles, and the high officers of the government, with the retainers of the princes and nobles, and the followers of the high officials. The aggregate number of these retainers and followers, all of whom are armed, is very great. It is said to be over 300,000 men. The character of this class is an important consideration. They lead a life of idleness, and many of them are exceedingly dissolute. Towards those whom they regard as being their inferiors, they are arrogant and aggressive. They haunt the streets in great numbers, frequently in a state of intoxication, and, being always armed, are not only prompt in taking offence, but ready to seek it.

The feelings of these men towards foreigners are a mere reflex of the opinions of their masters, and as a majority of the latter are opposed to the presence of foreigners here, it may be fairly assumed that an equal proportion of their followers are hostile to us. I cannot conceal from you my serious apprehensions that, with the present state of feeling, very grave difficulties might arise from the presence here of American citizens for the purposes of trade.

I have no cause of complaint for myself, but whenever I leave my residence I am attended by a retinue that commands respect; and, in addition to this, my official position is well known.

But the merchant could have no such protection; he could not afford to support such an escort, and even if he did retain one, his social position would deprive him of nearly all the benefit of it.

If all the foreigners in Japan were prudent and discreet men, the danger arising from their residence in this city would be diminished, but not entirely averted. Unfortunately, a portion of them are neither prudent nor discreet, and they are numerous enough to imperil the safety of the orderly and well-disposed, and seriously endanger the amicable relations that have been established with so much difficulty and labor with this government.

Yedo is neither a commercial nor manufacturing city; the imports are confined to the supply of the inhabitants, and of exports there are none. The manufactures are limited to the production of the coarser articles for common use, which are of too little value to allow of charges for transport. Kanagawa is now, and must remain, the seaport of Yedo, as, after leaving Kanagawa, vessels can nowhere approach the shore nearer than three miles, and at Yedo they must anchor at the distance of five miles from the shore.

The business of this city is exclusively a retail one, and it is carried on in a manner which would apparently prevent a foreigner from conducting it. The class of persons who would be the principal purchasers of foreign productions never enter a shop to make purchases; the vendor carries his goods to the residence of his customer, and there, kneeling on the ground, he exhibits his wares.

The trade already developed gives a promising hope of the ultimate establishment of a large and beneficial commerce with this country, but these hopeful prospects may be seriously damaged, and possibly utterly destroyed, by a collision between the foreigners and Japanese, and I greatly fear that the indiscriminate admission of foreigners, at the time fixed by the treaties, to the right of residence in this capital, will lead to the most deplorable consequences, and to a state of affairs fatal to the best interests of all.

I have endeavored to lay before you a concise statement of the prospect before us in reference to this matter, and I respectfully request your serious consideration of it.

I have had frequent conferences with my colleagues, the English and French ministers, and we are united in our opinions on this subject.

It has been agreed between us that we should write to our respective governments asking for discretionary power to postpone the opening of this city for one year, with the power of renewing the postponement from time to time as actual exigencies might require.

I address you thus early, not only on account of the importance of the subject, but also in view of the great delay that frequently occurs in the transmission of my despatches to you.

I have the honor to be, very respectfully, your obedient servant,

TOWNSEND HARRIS.

Hon. Lewis Cass,
Secretary of State, Washington.

Mr. Harris to Secretary of State.

No. 20.] Legation of the United States in Japan,
Yedo, May 8, 1861.

Sir: I have the honor to transmit herewith a letter from his Majesty the Tycoon to the President of the United States, and a letter from the ministers for foreign affairs addressed to you. I have enclosed English translations with the foregoing.

These letters express the desire of this government that the opening of the cities of Yedo and Osacca, and the harbors of Hiogo and Neëgata, should be postponed, for reasons that are set forth in the letter of the ministers for foreign affairs.

In my despatch No. 26, dated August 1, 1860, I expressed my opinion that it would be judicious to postpone the period fixed by the treaty for the opening of the city of Yedo, and not having found any reason to alter my views since writing that despatch, I respectfully request you to reperuse the same.

I have never been able to visit Osacca, and am therefore unable to say what may be the actual state of feeling in reference to the permanent residence of foreigners in that city; but I am aware that it is in the district called *Tien*, or Heavenly, by the Japanese, from the fact of its being the residence of the Mikado, or spiritual ruler of Japan, and it may well be that the residence of foreigners in that district would be regarded with dislike by a portion of the Japanese people. Hiogo is simply the seaport of Osacca, and its opening naturally depends on that of the city, and Neëgata is a minor consideration.

The present action of this government would seem to be a retrograde movement, but this opinion will be somewhat modified when the present and the past are compared.

Since July, 1859, the prices of all articles of export from this country have risen from 100 to 300 per cent. A change so great and so sudden could not fail to press heavily on all official persons of fixed and limited incomes, and it is from this class that the loudest complaints are heard; and these complaints will continue while they are in a transition state towards a higher rate of salary.

The Dimios receive a large portion of their revenues in kind, and as they dispose of all their surplus, they find their incomes greatly increased. The effect of this is clearly shown by the fact that when I first came to Yedo, in November, 1857, only thirteen of the Dimios out of some three hundred were in favor of opening the country, while at the present time about one-half of them are in favor of the new order of things.

I would respectfully suggest that discretionary power should be given to the diplomatic agent of the United States in this country to act in concert with his colleagues in such manner as he may deem most advisable for the interests of both countries.

I have the honor to be, very respectfully, your most obedient servant,

TOWNSEND HARRIS,
Minister Resident in Japan.

Hon. SECRETARY OF STATE, *Washington.*

To his excellency the Secretary of State for Foreign Affairs of the United States of America, &c., &c., &c.:

We have to state to your excellency that his Majesty the Tycoon has addressed a letter to his Majesty the President on the subject of the treaty concluded with the United States, and by his order a full and clear statement of the fact therein set forth is to be made by us to your excellency.

It was for a period of nearly three hundred years that foreign intercourse was excluded from our empire. That ancient law, owing to the pressing recommendation of his Majesty the President of the United States, was somewhat altered, and it was resolved to allow ships off our coasts to be furnished with wood, water, provisions, and what they might be in need of at the two ports of Simoda and Hakodadi.

Since the arrival in Japan of the minister of the United States, his excellency Townsend Harris, we became gradually better informed upon all that relates to foreign countries as at present situated, and our government, taking this into consideration, concluded the treaties of amity, recently gone into operation, first with the United States, and subsequently with Russia, France, England, Holland, &c., thus establishing freedom of trade.

This, however, carried into effect led to a result generally experienced and very different from what was anticipated: no benefit has been derived, but the lower class of the nation has suffered from it already.

The prices of articles of general consumption are daily advancing, owing to extensive exportation to foreign countries, while but little is imported into our country; and the people of the humbler class, not being able to supply their wants as heretofore, attribute this to foreign trade, and occasionally express themselves to that effect. Yea, even the higher and wealthier classes are generally not favorably disposed towards commerce; so that soon there may be those who will condemn the abrogation of the prohibition of former times, and desire the re-establishment of the ancient law.

The policy of exclusion of foreign intercourse was like an established custom, and had deeply taken root in the national mind, that knew nothing of intercourse with foreign powers. It would, therefore, be a matter of great difficulty to allay the feeling of uneasiness with which public opinion regards the change of policy, even if the difficulty already mentioned did not exist.

While this disadvantage has made itself felt throughout the empire, a general uneasiness is created by referring to the stipulation according to which the ports of Hiogo and Neëgata are to be opened, and foreign trade is to be carried on at Yedo and Osacca, which stipulation is to be found in the 3d article of the treaty, and published accordingly. As the time approaches that this stipulation is to be carried out, a greater anxiety manifests itself from an apprehension that the disadvantage and the loss already experienced are to be further increased.

In the present state of public opinion it would be a matter of great difficulty for the government to exert its power and authority for the purpose of demonstrating the benefits to be realized at some future day, and thus causing it to submit to the present uneasiness for some time longer.

To look at things in their present and not in their prospective state is the habit of ignorant people. Should recourse be had to strong measures to accomplish the purpose, the extent of the calamity to result from such action, in direct opposition to public opinion, could not well be estimated. And as for Neëgata, there are several sand banks at the entrance of that harbor, which render it unfit to be visited by ships of foreign nations. The minister of the United States, his excellency Townsend Harris, is also of opinion that that place lacks the requirements for commercial purposes. Another suitable port ought, therefore, to be selected and opened on the west coast, according to stipulation. This has not yet taken place, and the selection has been delayed, owing to adverse winds and currents at the time of examination of that coast, which examination had then to be discontinued.

In view of the present state of affairs, the proper time to make suitable arrangements should be waited for. Therefore the opening of the two ports and the two cities should be postponed; public opinion reassured and gradually prepared; commerce organized by degrees; prices of things find their level, and the old custom changed in such a manner that a prosperous intercourse with foreign countries may become the wish of the nation.

Under such circumstances it would not be difficult to open the two ports and the two cities.

Like the sailor under a head wind, who waits until the wind becomes favorable, so should there be patience in waiting for the proper time for perfecting the matter without pressure or compulsion of any kind. For the above-mentioned reason it is desired to postpone the opening referred to for a period of seven years, according to the Japanese era, until the close of the year of the next Hinoto, corresponding to the year 1868 of your era.

It may be expected that such arrangements, allowing time for preparation, will soon bear good fruit and prevent difficulties. Should, however, any pressure be brought to bear upon this matter, the evil consequences of such a course could not well be averted, though it be in accordance with the treaty. This is the true state of affairs. People are apt not to heed the recommendation of others, but to be in favor of all that they themselves originate. This is a common thing in human nature.

The best course to be pursued is to take into consideration the true nature of men and things; to use no compulsion; to enlighten the people by degrees, and to prepare the time when of their own accord they will look to the future with confidence; and surely there will be no other means to meet the present emergency.

As, however, the postponement of fulfilment of any treaty stipulation may lead to a disagreeable impression being formed, we hesitated until now to make this communication. We have taken the subject repeatedly in mature consideration, and feel confident that there is but one way to arrange the matter, and that is as above suggested. This measure is not only in the interest of our empire, but it will undoubtedly tend to strengthen the existing ties of friendship, and to secure the advantages of commerce permanently. For this reason has his Majesty the Tycoon addressed a letter to his Majesty the President, with the object of postponing the opening of the two ports and the two cities as above mentioned.

We consulted the ministers of foreign powers on this subject, and also fully explained it to the Prussian minister, last arrived, who agreed to the reasons set forth, in consequence of which, in the treaty concluded with Prussia, the article referring to the two ports and the two cities was omitted.

It is our heartfelt desire that your excellency will take the foregoing in due consideration, and in view of the urgency of the case and the importance of our statement, be pleased to submit the matter to his Majesty the President, and cause it to be settled and accepted in conformity with our wishes, and for the perpetuation of the existing friendship between the two countries.

We also consulted his excellency Townsend Harris on the subject, who partly agrees with us. A communication by him will also be made to your excellency.

We further beg leave to inform you that similar communications have been sent to the governments of those powers having treaties with Japan.

Stated with respect and courtesy.

On the 23d day of the 3d month of the 1st year of Runkin.

KUDSI YAMATO NO KAMI.
ANDO TSUSIMA NO KAMI.

The Tycoon of Japan to the President of the United States:

Greeting: I have to state to your Majesty the President of the United States of America, that since a treaty was concluded between my empire and the United States, the relations between the two countries have been in steady progress of organization, and that the time approaches when much of what is stipulated in that treaty is to go into effect. But there are several obstacles in the way of execution of that article of the treaty which relates to the opening of the ports of Hiogo and Neëgata, and the admittance of foreign trade in the cities of Yedo and Osacca. I therefore desire to postpone the opening of the places above named. More particular information on this subject will be communicated by the members of my council for foreign affairs, Kudsi Yamato no Kami and Ando Tsusima no Kami, to the minister of foreign affairs of the United States.

I hope that your Majesty, animated by friendly feeling, will consent to this. I wish happiness and prosperity to the United States.

On the 23d day of the 3d month of the 1st year of Runkin.

[Name of his Majesty the Tycoon.]

Mr. Harris to Secretary of State.

No. 21.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, June 7, 1861.

SIR: In my despatch No. 4, dated January 22, I had the honor to inform you of the steps taken by me to insure the arrest and punishment of the murderers of Mr. Heusken, the interpreter to this legation.

Since then I have frequently pressed the Japanese ministers to give me some evidence of the sincerity of their professions.

A large number of persons have been arrested on suspicion, but their complicity in the crime could not be brought home to them; some of them were convicted of other crimes, and have been executed. I am convinced that the Japanese are acting in good faith, and that they earnestly wish to discover and punish the assassins of Mr. Heusken.

I hand you herewith (No. 1) copy and translation of a letter from the minister for foreign affairs, stating that the three Yakonines who attended Mr. Heusken on the night of his murder have been punished for neglect of duty, and also that four guards, who were on duty near the place where Mr. Heusken was assaulted, have also been punished for remissness on that melancholy occasion.

I have the honor to be, sir, very respectfully, your obedient servant,

TOWNSEND HARRIS,
Minister Resident in Japan.

Hon. SECRETARY OF STATE. *Washington.*

To his excellency Townsend Harris, minister and plenipotentiary of the United States of America, &c., &c., &c.:

We state to you in writing, in reference to the murder of Mr. Heusken, secretary at your legation, which took place last year, that stringent orders were issued to arrest the criminals, of which we informed you before.

As the escort, however, on that occasion did not act properly, punishment has been awarded to Sudzuki Dzennodzio and six other persons, as stated in accompanying writing.

It is desirable that the foregoing be brought to your notice.

Stated with respect and courtesy.

On the 26th day of the 4th month of the 1st year of Bunkin, (June 5, 1861.)

KUDSI YAMATO NO KAMI.
ANDO TSUSIMA NO KAMI.

Translation of sentence.

Sudzuki Dzennodzio, Kondou Nawosaburo, Adzime Konkichi, dismissed the service; they cannot be reinstated, and are not permitted to go out.

Sinkichi, Dzenske, Marorokee, Tatuemon, guards at the guard-house, dismissed the service as guards, and not permitted to serve again in that capacity.

A true translation.

A. L. C. PORTMAN,
Interpreter.

Mr. Harris to Secretary of State.

No. 26.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, July 2, 1861.

SIR: In my despatch No. 26, dated August 1, 1860, I had the honor to inform the department that I was of the opinion that it would be expedient to postpone the opening of this city for the residence of American citizens beyond the date fixed therefor by the treaty of Yedo, and I gave my reasons *in extenso* for that opinion.

During the eleven months that have elapsed since I addressed the department on this matter all my observation has tended to strengthen the views I have already expressed on the subject. The American merchants in Japan are generally of the opinion that no material advantage to their business will arise from the opening of this city to them as a place of residence.

I respectfully request your perusal of a copy of the despatch in question, which I transmit herewith, (No. 1.)

The time for some definite action is rapidly approaching, and I shall be extremely embarrassed if I do not receive your instructions in this behalf before that period actually arrives.

I have the honor to be, very respectfully, your obedient servant,

TOWNSEND HARRIS,
Minister Resident.

Honorable the SECRETARY OF STATE,
Washington.

Mr. Harris to Mr. Seward.

No. 29.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, July 10, 1861.

SIR: I have to pray you to be pleased to lay before the President my respectful request to be recalled as minister resident of the United States in Japan.

My first commission as the agent of the United States in this country dates back to August 4, 1855, and during the whole period I have been absent but once from my post of duty. This was under a sick certificate, and the whole time of absence was only fifty-one days.

The extraordinary life of isolation that I have been compelled to lead has greatly impaired my health, and this, joined to my advancing years, warns me that it is time for me to give up all public employment.

I could wish to be relieved early next January, as this would enable me to pass the Red Sea, on my return, in the month of March.

I have the honor to be, sir, very respectfully, your obedient servant,

TOWNSEND HARRIS,
Minister Resident.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Harris to Mr. Seward.

No. 30.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, July 12, 1861.

SIR: I have the honor to inform you that I had an interview with the ministers for foreign affairs yesterday, and on this occasion I repeated the substance of my letter to them dated the 8th instant (a copy of which forms enclosure No. 2 of my despatch No. 27) on the subject of the late attack on the British legation, and enlarged on the danger that would attend any vacillation on their part in securing the arrest and punishment of the authors of that criminal attempt on the life of all the persons composing the English legation.

The ministers then made the following statement: The number of men engaged in the attack was fourteen; of these three were killed on the spot, and one, who was wounded, was made prisoner. Three more were tracked the next morning to Sinagawa; of these two were found to have ripped themselves up, and the third, who had also wounded himself, was seized. Both the prisoners were in safe custody, and were receiving medical treatment, previous to their being strictly examined. Lists of the names of the fourteen members of the band were found on the prisoners, and the ministers do not doubt that it correctly states the actual number of those engaged. The other seven had been traced further, and every effort was being made to arrest them; but that was a difficult matter; and, in proof of their statement, they informed me that in the parallel case of the murder of the regent in March, 1860, although the assassins were well known, yet up to this time only one of them had been arrested, although the government had every possible inducement to stimulate their efforts, and were also aided by the powerful clan of the murdered prince.

They stated that Mr. Alcock had, in March last, refused his consent to the posting of the guard, as was desired by the Japanese in command at the legation, and added that, had the guard been posted as was desired by them, it might not have prevented the attack, but they were confident the assailants would have been killed or beaten off before they had penetrated the house.

As to the motives of the attack, the ministers stated that there was a strong public feeling against all foreign trade and relations, mainly owing to the increased dearness of everything since the ports were opened, and also in part to a deeply rooted love for old customs and the traditional policy of exclusion. The ministers added that these men belonged to a band of desperate outlaws, willing to make themselves the exponents of the national feelings, and who gloried in sacrificing their lives in such a cause.

They attacked the British legation, hoping not only to distinguish themselves by slaying all the members of the mission, but also to bring about a war with the foreigners, and thereby secure a return to their old state of isolation.

The ministers stated that they believed the foregoing to be the sole motives that actuated the men, who were all of low degree, and were without any instigators or abettors among men of high rank or station.

They were well aware that these repeated attacks on foreigners and their inability to punish the offenders would cause foreign governments to look on them with distrust, and perhaps to doubt their sincerity. They hoped that as I had been so long in the country, and knew its condition better than any other foreigner, I would give my testimony in support of the truth of their representations.

As to the security of the foreign representatives here, they could assure me that if they were permitted to use the same means for the protection of the diplomatic representatives as they used for their own security, we might safely rely on having the same amount of protection that they enjoyed themselves.

The ministers desired to repeat the assurance that they were using every means in their power to arrest, not only the persons engaged in the last attack, but also of all who had assailed foreign residents.

I transmit herewith (No. 1) copy of a letter dated the 11th instant, addressed by me to the British minister, Mr. Alcock.

I have the honor to be, sir, very respectfully, your obedient servant,

TOWNSEND HARRIS,
Minister Resident.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

No. 75.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, July 11, 1861.

SIR: I have the honor to acknowledge the receipt of your letter, dated the 8th instant, in acknowledgment of my letter to you of the same date.

You thank me for the expression of my views upon the present conjuncture, in which, you are glad to say, there is a general accordance with your own, and you add that "if there be any divergence, it is in the absence of all hope on my part that the Japanese government will behave otherwise on this than on every former occasion of the like nature."

I endeavored to avoid expressing any opinion whatever as to the future action of the Japanese government, and if you will take the trouble to reperuse my letter, I think that you will see that you have somewhat misconstrued the expressions used by me.

I had a long interview with the minister for foreign affairs to-day, and the principal subject of consideration was the recent outrage on your legation.

I do not enter into any particulars of the discussion, as I deem it best to leave the ministers themselves to be their own interpreters in this matter.

I have the honor to be, sir, your most obedient, humble servant,

TOWNSEND HARRIS,
Minister Resident of the United States in Japan.

RUTHERFORD ALCOCK, Esq., C. B.,
H. B. M.'s Minister Plenipo'y and Envoy Extra'y in Japan.

Mr. Harris to Mr. Seward.

No. 31.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, July 15, 1861.

SIR: I have the honor to transmit herewith (No. 1) copy of a letter from J. K. De Witt, esq., Netherlands consul general in Japan, informing me of his decision not to return to this capital until further instructed by his government.

I also transmit (No. 2) copy of my reply to the foregoing.

I have the honor to be, sir, very respectfully, your most obedient servant,

TOWNSEND HARRIS,
Minister Resident.

HON. WM. H. SEWARD,
Secretary of State, Washington.

No. 224.] CONSULATE GENERAL OF THE NETHERLANDS IN JAPAN,
Yokohama, July 10, 1861.

SIR: After the attack on the British legation on the night of the 5th instant, I have the honor to acquaint you that I have decided not to return to Yedo until I shall have received further instructions from my government on this subject.

At the same time, I have the honor to send you a copy of the letter whereby I have communicated to the Japanese ministers this my decision, to which I am led by the same motives which moved me to leave Yedo temporarily in the beginning of this year.

I have the honor to be, sir, your most obedient, humble servant.

J. K. DE WITT.

TOWNSEND HARRIS, Esq.,
Minister Resident of the United States in Japan.

No. 74.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, July 11, 1860 [1.]

SIR: I have the honor to acknowledge the receipt of your letter, dated the 10th instant, in which you inform me that, in consequence of the attack on the British legation in this city, you had decided not to return to Yedo until you are further instructed by your government.

You also enclose copy of a letter addressed by you to the Japanese ministers for foreign affairs, in which you announce to them your decision not to return here, adding that you are led thereto by the same motives which induced you to leave Yedo temporarily in the month of January last.

I return you my thanks for the information you have thus conveyed to me, and at the same time beg to refer you to the enclosed copy of a letter addressed to me by the Japanese minister for foreign affairs on the 4th of June, in which they inform me of the punishment inflicted on seven persons for neglect of duty on the night of the murder of the lamented Mr. Heusken, of this legation.

I have the honor to be, sir, your most obedient, humble servant,
TOWNSEND HARRIS,
Minister Resident of the United States in Japan.

His Excellency J. K. DE WITT,
His Netherlands Majesty's Consul General in Japan, Yokohama.

Mr. Harris to Mr. Seward.

No. 40.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, October 14, 1861.

SIR: I have the honor to enclose herewith (No. 1) copy and translation of a letter from the Japanese ministers for foreign affairs, informing me of the detection and death of two more of the persons who were engaged in the attack on the English legation in this city on the night of July 5, and further stating that the most active measures are being pursued to secure the arrest of the remainder of the band—five in number—who are still at large.

I also enclose herewith (No. 2) translation of a declaration, which was signed by the whole of the desperadoes before making the attack.

I learn, from reports, that Mr. Alcock, the British minister, has at last come to the conclusion that the Japanese government had no part whatever in encouraging or inciting the attack in question; and that he is now convinced that they are acting in good faith and are doing all in their power to insure the safety of the foreign residents.

I have the honor to be, sir, very respectfully, your obedient servant,
TOWNSEND HARRIS,
Minister Resident.

Hon. WM. H. SEWARD,
Secretary of State, Washington.

To his excellency Townsend Harris, minister plenipotentiary of the United States of America, &c., &c., &c.:

We have to state to your excellency that a standing order has been issued to prosecute those who took part in the attack on the British legation in the 5th month, and had effected their escape. Accordingly, when it became known that Mayke Sinpatchiro and another one had concealed themselves at Hihongomura, (name of the village,) in the principality of Dsioshü, the proper persons to effect their arrest were at once despatched to that village, where it was found that both had committed suicide at a farmhouse. Sinpatchiro died immediately, and the other, though seriously wounded, was still living; he was, therefore, transferred to the prison, and surgical aid given to him. On the 27th day of last month he also died. To what place the others have taken themselves is not yet known, but the order for a rigid inquiry has been given, the foregoing being the report of the authorities of Dsioshü. When further arrests will be made you will be notified. In the meantime we hasten to state the foregoing for your information.

With respect and courtesy.

On the 4th day of the 9th month of the 1st year of Runkin, (the 7th of October, 1861.)

KUDSI YAMATO NO KAMI.
ANDO TSUSIMA NO KAMI.

A true translation.

A. L. C. PORTMAN.

Translation of an agreement between fourteen persons, having for its object the expulsion of foreigners from Japan, in connexion with the attack on the British legation on the night of the 5th of July, 1861, *with remarks.*

I, the undersigned, of humble station, but animated with a grand design, in honor of the sovereign, to get rid of the foreigner—the barbarian, whose presence in the sacred empire is intolerable—do hereby solemnly engage myself to that effect.

As it cannot be expected from a single person of the humbler class that he will succeed in vindicating the power of the empire, I intend, in all sincerity, to raise a limited armed force, and thereby confer a thousand benefits upon the empire, to the best of my ability.

Should this lead to the expulsion of the barbarian, without disturbing the Emperor's faithful, it would, indeed, redound to the greatest honor of me, a person of the humblest class. Wherefore I have determined to act, regardless of all consequences to myself.

The 5th month of the 1st year of Bunkin.

1. Ariga Hanya.
2. Okami Tamedziro.
3. Mayke Sinpatsiro.
4. Mori Handzoo.
5. Sakaki Etchaboro.
6. Kimura Koanoske.
7. Isikawa Kinsiro.
8. Yadzawa Kenoske.
9. Watanabe Kudzu.
10. Fruecawa Simenoske.
11. Yamasake Sinoske.
12. Nacamura Teiske.
13. Cobori Torakitchi.
14. Kurosawa Goro

A true translation.

A. L. C PORTMAN.

REMARKS.

Killed in the repulse by the Japanese guards:
6. Kimura Koanoske. 10. Frucawa Simenoske.
13. Cobori Torakitchi.

Arrested on the spot by the same:
5. Sakaki Etchaboro.

Arrested at Sinagawa after failing to commit suicide:
7. Isikawa Kensiro.

Found to have committed suicide at Sinagawa:
11. Yamasake Sinoske. 12. Nacamura Teiske.

Committed suicide at Hionghomura:
3. Mayke Sinpatchiro and another one.

According to which five of the fourteen desperadoes are still at large.

Mr. Harris to Mr. Seward.

No. 49.] Legation of the United States in Japan,
Yedo, November 23, 1861.

Sir: I have the honor to acknowledge the receipt of your despatches Nos. 17 and 18, dated, respectively, July 23 and August 1.

You inform me that a letter from his Majesty the Tycoon to the President of the United States, and a letter from the Japanese ministers for foreign affairs to you, together with my despatch of May 8, (No. 20,) had been received; all of which papers related to a proposition of the Japanese government that the opening of the cities of Yedo and Osacca, and the harbors Hiogo and Neëgata, as stipulated in the treaty, should be postponed. You add that my counsel in relation to this matter was different from the course contemplated by the President; which was, that no postponement of the opening of the city of Yedo should be conceded, and that a joint naval demonstration should be made in the Japanese waters by all the treaty powers for the purpose of obtaining from the Japanese government satisfaction for the murder of Mr. Heusken, interpreter of this legation, and full security for the safety of the foreign residents in this country, but, in consequence of the confidence the President placed in my judgment, he waived his own opinion, and has given me discretionary power to act, in concert with the ministers of the other powers interested, in such manner as shall be most advisable for the welfare of both countries.

I am very sensible of the great importance of the trust thus confided to me, and I hope that the result will show that the confidence of the President was not misplaced.

In your despatch of August 1 (No. 18) you inform me that you urgently insist that, except in the extremest necessity, I shall not consent to any postponement of any covenant in the existing treaty without first receiving satisfaction of some marked kind for the great crime of the assassination of Mr. Heusken while in the diplomatic service of the United States. You leave me to determine on the form and mode of that satisfaction, adding that it would be best to secure, if possible, the punishment of the assassins; but circumstances unknown to you must enter into the question, and may modify my action, but you deem the principle too important to be abandoned.

After reflection, it appears to me that the satisfaction required might be given in either of the three following forms, viz: 1st, by the arrest and punishment of the assassins; 2d, by a salute to our flag; or, 3d, by a money payment as an indemnity.

To enable you to form an opinion as to the will or ability of this government to comply with the first of those propositions, I will briefly recapitulate what has already been done in that direction.

The night on which Mr. Heusken was murdered was rainy and dark, and in the unlighted streets his assassins had no difficulty in making their escape without leaving the least trace or clue behind them. The police were immediately on the alert, and orders were sent in all directions to employ a large extra force to seek for the criminals, and the ministers for foreign affairs themselves took part in issuing stringent orders that no effort should be wanting for the arrest of the murderers. These efforts to arrest the malefactors were and are still continued; many persons have been arrested, and although some of them have been put to death, it was for other crimes. The Japanese have zealously investigated every rumor (and there were many) having any reference to Mr. Heusken's death; that their efforts thus far have been fruitless, I consider as being rather their misfortune than their fault. The officers who attended Mr. Heusken, and the guards who were on duty near the place of his murder, have all been punished for neglect of duty by dismissal from the imperial service, and declared incapable of ever again serving his Majesty. To a Japanese official such a punishment is next to a death penalty; for it deprives him of all means of support, except beggary, as he would prefer suicide to what he would consider as the degradation of labor.

The funeral of Mr. Heusken was attended by the three chief personages of the embassy to the United States, and this mark of sympathy and respect was cheerfully paid, although it was contrary to Japanese custom for non-relatives to attend a funeral, as all the persons so attending are rendered unclean, and must isolate themselves for a certain period of time. I have heretofore informed you of the great imprudence of Mr. Heusken in being out at night after repeated warnings from the Japanese that he ran a risk of being murdered by exposing himself in the way he did. I firmly believe that his death was chiefly owing to his disregard of the warnings of the Japanese, and I equally believe that, had he followed my example, he would have been a living man at this day.

For the reasons thus briefly set forth, I feel constrained to acquit the Japanese government of any complicity in the death of Mr. Heusken, or of even desiring it; and I am equally convinced that they have loyally and zealously endeavored to arrest and punish his assassins.

A salute to our flag would be given under the following circumstances: The five forts of Yedo are built on flats over a mile from the city front, and between three and four miles from the anchorage for large vessels. At present we have no man-of-war here to receive a salute to our flag, nor are there any foreign men-of-war to witness it. The Japanese are almost daily practicing firing from their forts, and for this reason a salute would excite no attention among the masses of the people, and would probably be unknown beyond the persons actually engaged in ordering and firing the salute. The value of this mark of respect would therefore be greatly diminished by the very unfavorable circumstances under which it would be given.

A money indemnity would be attended by a two-fold difficulty; on the one hand, by receiving a sum of money as a satisfaction for the death of Mr. Heusken, it would almost look like selling his blood; while, on the other hand, it might assume the appearance of a "condition precedent" to consenting to postpone our treaty stipulations, and thus be stamped as a transaction.

I am to have an interview with the ministers for foreign affairs on the 26th instant, and in the interim I shall endeavor to find some solution for the difficulties which occur to me in connexion with this business.

I have not the least doubt that the ministers will readily agree to any demand I may make, provided it be in their power to comply with it.

I have the honor to be, sir, very respectfully, your obedient servant,

TOWNSEND HARRIS,
Minister Resident.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Harris to Mr. Seward.

No. 50.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, November 27, 1861.

SIR: I have the honor to inform you that, agreeably to a previous appointment, I yesterday had an interview with Kudsi Yamato no Kami and Ando Tsusima no Kami, ministers for foreign affairs, who were assisted by some members of the second council of state.

After an interchange of the usual compliments, I informed the ministers that the President had been pleased to give me discretionary powers in regard to the question of postponing the opening of the cities of Yedo and Osacca, and the harbors of Hiogo and Neëgata; but that I had been expressly instructed by you to demand full satisfaction for the murder of Mr. Heusken, the interpreter of this legation, before I entered on the consideration of their requests.

Ando Tsusima no Kami answered that they were willing to give me any satisfaction that might be in their power, and asked me what I required.

I replied, that the arrest and punishment of the murderers of Mr. Heusken was all that I desired.

The minister then said that those criminals should be arrested and punished, but whether that could be done in a month or a year was more than he could foresee. He then recapitulated what had been done by the government to secure the arrest of the assassins, and his statement corresponded with the detail I had the honor to give you on this head in my despatch of the 23d instant, (No. 49.) He continued by quoting the case of the regent, and stating their inability to arrest his murderers, as a proof that their present failure was not an exceptional case. The minister reiterated his assurance that no effort on his part should be wanting to bring these men to punishment, and concluded by saying that if this assurance was not satisfactory, that he wished I would tell him what I further required of them.

I replied that Mr. Heusken was the only child of his widowed mother, who, by his death, had been deprived of her sole means of support. I would therefore propose that they should pay her a sum sufficient for her support, either in annual payments or in a sum sufficient to purchase a life annuity equal in amount to the income she received from her late son. I stated, very emphatically, that they must not consider this a proposition from me to sell the blood of Mr. Heusken, or that the payment of any sum of money could atone for his murder.

After a few explanations had been asked and given, the ministers promptly agreed to pay me the sum of $10,000 for the benefit of Mrs. Heusken. They then stated that they did not consider that the payment of this sum in any way released them from their obligation to bring to punishment the murderers of Mr. Heusken.

It was after much reflection that I concluded to adopt the above mode of settling this question; and I trust that my action in this matter will meet with your approbation and receive the approval of the President.

I have delivered your letter to the ministers for foreign affairs, and requested them to appoint a day when I can have an audience of his Majesty the Tycoon, for the purpose of delivering the President's letter.

I have the honor to be, sir, very respectfully, your obedient servant,

TOWNSEND HARRIS,
Minister Resident.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Harris to Mr. Seward.

No. 52.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, December 2, 1861.

SIR: I have the honor to transmit herewith copies of a correspondence had with my colleagues on the subject of the postponement of the date fixed for the opening of the city of Yedo.

The French and English ministers are both awaiting new instructions, which are daily expected to arrive.

Mr. De Witt, the Netherlands consul general, is now at Nagasaki, but I shall no doubt hear from him in the course of the next fifteen days.

The enclosures above referred to consist of, No. 1, Mr. Harris to Mr. De Witt, Netherlands consul general; No. 2, Mr. Harris to Mr. Alcock, British minister; No. 3, Mr. Harris to Mr. de Bellecourt, French minister; No. 4, Mr. Alcock to Mr. Harris; No. 5, Mr. de Bellecourt to Mr. Harris.

I have the honor to be, sir, very respectfully, your obedient servant,

TOWNSEND HARRIS,
Minister Resident.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

No. 115.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, November 27, 1861.

SIR: I have the honor to inform your excellency that my government has been pleased to give me full powers to act according to my own discretion in the matter of postponing the opening of the cities of Yedo and Osacca and the harbors of Hiogo and Neëgata.

I have already expressed to you verbally my opinion that it was not desirable to open the city of Yedo, at the time fixed by treaty, for the purposes of trade. On reviewing that opinion I do not find any cause to alter the view heretofore taken of this subject; but, on the contrary, I see additional reasons for thinking that the present opening of this city would be attended by complications that would seriously embarrass the diplomatic agents resident here, and possibly might compromise our friendly relations with this country. The case of Yedo is pressing, and requires immediate action, and I much regret that you are not here to give your valuable counsel in this emergency.

I pray you to inform me of your views, not only in respect to the city of Yedo, but also in reference to Osacca, Hiogo, and Neëgata.

The Japanese government have promised to pay me the sum of ten thousand dollars for the benefit of the widowed mother of Mr. Heusken, late interpreter to this legation, who was murdered in this city on the 15th of last January. As soon as this money has been received by me, I shall cause it to be remitted to Amsterdam for Mrs. Heusken.

I avail myself of this occasion to express to you the sincere esteem and regard with which I have the honor to be your excellency's most obedient, humble servant,

TOWNSEND HARRIS,
Minister Resident of the United States in Japan.

His Excellency J. K. DE WITT,
His Netherlands Majesty's Consul General in Japan, Nagasaki.

No. 116.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, November 27, 1861.

SIR: I have the honor to inform you that my government has been pleased to authorize me to exercise my own discretion in reference to the requests of the Japanese government, that the period fixed by treaty stipulations for the opening of the cities of Yedo and Osacca, and the harbors of Hiogo and Neëgata, might be postponed until the 1st of January, 1867.

During the summer of 1860 I had the honor to confer with you in reference to the opening of the city of Yedo, and I believe there was an entire accordance of opinion between us that it was expedient that the opening of this city should be postponed.

Since that time the subject has frequently been anxiously considered by me, and after carefully reviewing the opinions I have hitherto formed on this subject, I am unable to discover any cause to change them, but, on the contrary, I have found additional reasons for thinking that the present opening of this city would be attended by complications that would seriously embarrass the diplomatic agents resident here, and possibly might compromise our friendly relations with this country, while only a trifling benefit would arise from the city being opened even under the most favorable circumstances.

The time fixed by treaty for the opening of Yedo is so near at hand that some immediate action is required; and if your opinions on this subject remain unchanged, I would respectfully propose that you, the French minister, (to whom I have addressed a counterpart of this note,) and myself, should at once issue notifications to our respective citizens and subjects that this city will not be opened on the 1st day of January next. After this, the question as to how long the city shall remain unopened may be leisurely considered.

In reference to Osacca, Hiogo, and Neëgata, I will give you my views at large whenever you inform me that you are prepared to consider the subject; and in the meantime I do not conceal from you that I am inclined to view the Japanese proposition favorably.

I have the honor to be, sir, your most obedient, humble servant,

TOWNSEND HARRIS,
Minister Resident of the United States in Japan.

RUTHERFORD ALCOCK, Esq., C. B.,
H. B. M.'s Envoy Extraordinary and Minister Plenipotentiary in Japan, Yokohama.

No. 117.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, November 27, 1861.

SIR: I have the honor to inform your excellency that my government has been pleased to authorize me to exercise my own discretion in reference to the requests of the Japanese government that the period fixed by treaty stipulations for the opening of the cities of Yedo and Osacca, and the harbors of Hiogo and Neëgata, might be postponed until the 1st of January, 1867.

During the summer of 1860 I had the honor to confer with your excellency in reference to the opening of the city of Yedo, and I believe there was an entire accordance of opinion between us that it was expedient that the opening of this city should be postponed. Since that time this subject has frequently been anxiously considered by me, and after carefully reviewing the opinions I have hitherto formed on this subject I am unable to discover any cause to change them, but, on the contrary, I have found additional reasons for thinking that the present opening of this city would be attended by complications that would seriously embarrass the diplomatic agents here, and possibly might compromise our friendly relations with this country, while only a trifling benefit would arise from the city being opened even under the most favorable circumstances.

The time fixed by treaty for the opening of Yedo is so near at hand that some immediate action is required; and if your opinions on this subject remain unchanged, I would respectfully propose that your excellency, the British minister, (to whom I have addressed a counterpart of this note) and myself should at once issue notifications to our respective citizens and subjects that this city will not be opened on the 1st day of January next. After this the question, as to how long the city shall remain unopened, may be leisurely considered.

In reference to Osacca, Hiogo, and Neëgata, I will give your excellency my views at large whenever you inform me that you are prepared to consider the subject; and in the meantime I do not conceal from you that I am inclined to view the Japanese proposition favorably.

I avail myself of this occasion to renew the assurance of the distinguished consideration with which I have the honor to be your excellency's most obedient, humble servant,

TOWNSEND HARRIS,
Minister Resident of the United States in Japan.

His Excellency DUCHEME DE BELLECOURT,
H. I. Majesty's Minister Plenipotentiary in Japan, Yokohama.

No. 90.] YOKOHAMA, *November* 30, 1861.

SIR: I have the honor to acknowledge the receipt of your letter of the 27th instant, acquainting me that your government had authorized you to exercise your own discretion in reference to the requests of the Japanese government that the period fixed by treaty stipulations for the opening of the cities of Yedo and Osacca, and the harbors of Hiogo and Neëgata, might be postponed until the 1st of January, 1867.

I cannot enter fully into the subject, which is one of grave interest and importance, until I have had further communication with the French minister, and also with the ministers of foreign affairs at Yedo.

But as there is a whole month intervening before the date fixed by treaty for the opening of Yedo, little inconvenience, I conceive, is likely to result from any delay within that limit; and I will lose no time in forwarding you a statement of my views, and the course I may be prepared to follow, as soon as I am in a position to write definitely on the questions at issue.

I have the honor to be, sir, your most obedient, humble servant,

RUTHERFORD ALCOCK,
H. B. Majesty's Envoy Extraordinary
Minister Plenipotentiary, &c., &c., in Japan.

TOWNSEND HARRIS, Esq.,
Minister Resident of the United States.

LEGATION OF CONSULATE GENERAL OF FRANCE AT YEDO, JAPAN,
Yedo, November 30, 1861.

SIR: I had the honor of receiving your excellency's letter of the 27th instant, relating to the instructions of the government of the United States in regard to the postponement requested by the Japanese government of the opening of the ports and cities mentioned in the treaties of 1858.

In the course of this month, which intervenes before the time fixed for the opening of the city of Yedo, I hope to receive the directions of the imperial government on this important subject; and I shall be truly pleased, sir, should these directions not reach me within a few days, to communicate the plan which I shall have adopted to your excellency, as well as to the minister of England, with whom I intend to confer on the subject at an early day.

I thank you sincerely, sir, for informing me of the instructions which you received, and of your personal views; and it will give me much pleasure, as soon as I shall be able to do so to some purpose, to also come to an understanding with you, sir, upon the means of benefiting all interests by the joint action of the diplomatic agents in the present circumstances.

Be pleased to accept, sir, the assurance of the distinguished consideration with which I have the honor to be, your excellency's most obedient, humble servant,

DUCHEME DE BELLECOURT.

His Excellency TOWNSEND HARRIS,
Minister of the United States, &c., &c., in Japan.

A true translation. A. L. C. PORTMAN.

Mr. Pruyn to Mr. Seward.

No. 16.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, April 30, 1862.

SIR: I have the honor to inform you of my arrival at Kanagawa on the 25th instant. On the following day Mr. Harris had his audience of leave of his Majesty the Tycoon.

The arrangements for my official reception were soon completed, the government placing the steam yacht "Emperor," presented to them by her royal Majesty's government, at my disposal, to convey me to this city, where I arrived to-day, and entered upon the discharge of my duties. At the landing place a governor for foreign affairs, with a numerous staff, bade me welcome in the name of his government, and escorted me to the legation.

The ceremonial on this occasion was of marked courtesy, and in every respect to my entire satisfaction.

I have the honor to be, sir, very respectfully, your most obedient servant,

ROBERT H. PRUYN,
Minister Resident in Japan.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington

Mr. Pruyn to Mr. Seward.

No. 18.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, May 5, 1862.

SIR: I have the honor to inform you that to-day I had an interview with the ministers for foreign affairs, members of the council of state, and other dignitaries, on which occasion I was assured that an early day would be fixed by his Majesty the Tycoon to receive me, for the purpose of presenting my letters of credence.

The cordiality with which I was received induces me to hope that the friendly relations with this government, as established by the gentleman who has so ably and honorably represented the United States, will remain in their present satisfactory condition.

I have the honor to be, sir, very respectfully, your most obedient servant,
ROBERT H. PRUYN,
Minister Resident in Japan.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Pruyn to Mr. Seward.

No. 19.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, May 15, 1862.

SIR: On the 13th instant I received a letter from the ministers of foreign affairs, informing me that the ceremony of the audience with his Majesty the Tycoon would take place on the 17th instant. I was surprised as well as gratified by this prompt action, because in some instances long delays had occurred.

I returned to Yedo, having escorted Mr. Harris to Yokohama, and this day was waited upon by two of the governors of foreign affairs, who were charged with the preparation for the ceremonial. I was assured that this would be the same as had been observed in the audiences granted Mr. Harris, with which I expressed myself entirely satisfied. I refer to this particularly, because the ministers of foreign affairs had stated that the government were embarrassed by the claims of the ministers of England and of France to some privileges greater than those accorded to the minister of the United States—the one holding the rank of envoy extraordinary and minister plenipotentiary, and the other that of minister plenipotentiary.

It is understood that the British envoy had refused to take his audience of leave, because the government were not then prepared to admit his claim.

It was quite agreeable to me, therefore, that the government did not seek relief from their embarrassment by proposing a diminution of the privileges heretofore accorded to the American minister.

I have the honor to be, sir, very respectfully, your most obedient servant,
ROBERT H. PRUYN,
Minister Resident in Japan.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Pruyn to Mr. Seward.

No. 21.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, May 24, 1862.

SIR: I have the honor to transmit herewith No. 1 original, and No. 1 translation, of a letter addressed to you by the Japanese ministers for foreign affairs, which was handed to me on the occasion of my interview with them in company with Mr. Harris on the 5th instant.

I have the honor to be, sir, very respectfully, your most obedient servant,

ROBERT H. PRUYN,
Minister Resident in Japan.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

To his excellency the Secretary of State for foreign affairs of the United States of America.

We have to state to your excellency that we learned that in compliance with the request of Townsend Harris, esquire, leave had been granted him by your government to return to his country. During a period of more than five years, since we entered into treaty relations, Townsend Harris, esquire, resided at our court as a diplomatic agent. He has a perfect knowledge of the state of affairs in our empire, and he has always been friendly, and made suitable arrangements without cold feeling. By so doing, our friendly relations, not only with your empire, but also with the other treaty powers, have been drawn more closely; this, in fact, is to be attributed to the efforts and the exertion of Mr. Harris, for which we are most grateful. And for this reason we expressed a desire to your excellency that he might continue to reside here for some years.

But this desire does not appear to have reached your government, as his successor has been selected, and Mr. Harris has been instructed to return, which we consider as a necessity to be regretted; and it is desirable that he may come back here.

However, as his successor has also been selected and sent by your government, there may be no difference between the former and the present minister; and we trust, therefore, that the present minister will also arrange everything in a friendly manner, as has been the case heretofore.

Stated with respect and esteem on the 7th day of the 4th month of the 2d year of Runkin (the 5th May, 1862.)

KUDZE YAMATO NO KAMI.
ANDO ISUSIMA NO KAMI.

A true translation. A. L. C. PORTMAN.

Mr. Pruyn to Mr. Seward.

No. 20.] LEGATION OF THE UNITED STATES IN JAPAN,
Yedo, May 17, 1862.

SIR: I have the honor to inform you that this day I had an audience of his Majesty the Tycoon, for the purpose of delivering my letters of credence, on which occasion I addressed his Majesty as follows:

"SIRE: In presenting my letters of credence, I am directed to assure your Majesty of the sincere wishes of the President of the United States for the health and happiness of your Majesty, for the splendor of your reign, and for the increased prosperity and power of your empire.

"I am specially charged to assure your Majesty of the desire of my government to continue the amicable relations now existing between the two governments, and to cement more closely the ties of friendship which have been so auspiciously formed and so happily preserved.

"Where mutual respect and confidence, a disposition to adhere rigidly and honorably to every obligation, to ask nothing which is wrong, and to grant whatever is just, characterize the conduct of nations, nothing will occur to interrupt their harmonious intercourse.

"I assure your Majesty that it shall ever be my desire to promote the existing relations of friendship, which I trust may be perpetual, and I solicit for myself the confidence which your Majesty's government has so generously and justly extended to my predecessor."

To which his Majesty replied as follows:

"Have learned what you stated on delivering the letter. The friendship between the two countries shall be increased more and more. To come so great a distance must have been wearisome to you."

I was received by the high officers of the government in the most cordial manner, and the ceremonies attending my audience were of the most honorable kind, and in every respect satisfactory.

I have the honor to be, sir, very respectfully, your most obedient servant,

ROBERT H. PRUYN,
Minister Resident in Japan.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Harris.

No. 17.]

DEPARTMENT OF STATE,
Washington, July 23, 1861.

SIR: Your despatch of May 8 (No. 20) has been received, together with the letter mentioned therein, written by the Tycoon of Japan to the President, and the letter from the ministers of foreign affairs addressed to myself.

All these papers relate to a proposition of the Japanese government that the opening of the cities of Yedo and Osacca and the harbors of Hiogo and Neë-gata, as stipulated in our existing treaty, shall be postponed. Your own counsel, as given in your despatch, is that discretionary power be given to the diplomatic agent of the United States to act in concert with his colleagues, the representatives of other powers standing in relations towards Japan similar to those of the United States.

The course suggested is, as you doubtless were aware, different from what has been contemplated by the President. He holds, however, your ability and discretion in high consideration, and therefore care will be taken to review the subject fully, upon consultation, if possible, with the representatives here of the other powers concerned. As soon as the subject shall have been thus considered you will receive a definitive communication in relation to it.

In the meantime you will inform the Tycoon and the ministers for foreign affairs that their letters have been received and taken into consideration, with a due desire to establish the intercourse between the United States and Japan on the best and surest foundations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

TOWNSEND HARRIS, Esq , *&c., &c., Yedo.*

Mr. Seward to Mr. Harris.

No. 18.]

DEPARTMENT OF STATE,
Washington, August 1, 1861.

SIR: I recur again to your despatch of the 1st of August, 1860, (No. 26.)

In that paper you recommended a postponement for another year of the exercise of the right of American citizens to reside in the city of Yedo for the purpose of trade after the 1st of January next, saved to the United States by a clause in the third article of the treaty of July 29, 1858.

In my despatch to you of the 16th May last (No. 15) I stated that I had then addressed a note in relation thereto to the minister of Prussia in the United States, of which a copy was sent to you, and also that a similar note had been addressed to the ministers of Great Britain, France, Russia, and Holland, and that when replies to those communications should have been received by the department, no time would be lost in acquainting you with their contents.

The burden of the circular note thus addressed to the ministers of Great Britain, France, Prussia, Russia, and Holland, was that the President might, perhaps, have yielded to your suggestion if the circumstances which surround the subject had remained unchanged; but we had learned by recent despatches that Mr. Heusken, secretary of the American legation at Yedo, was, on the night of the 15th of January last, waylaid and assassinated in the streets of that city without any other cause or provocation than the fact that he was a foreigner.

The Japanese government had made no satisfactory explanation of this great violation of the rights of the United States, and, on the other hand, had virtually confessed its inability to bring the offenders to punishment.

It was argued by me in the aforesaid notes that the Japanese government would infer that we are unwilling or unable to vindicate our rights, if, leaving that transaction unpunished and unexplained, we should frustrate the effect of the treaty stipulation for the opening of the city of Yedo.

The President was, for this reason, of opinion that no postponement of the opening of the city of Yedo ought to be conceded. He thought, however, that some demonstration, which would render the residence of foreigners in Yedo safe, ought to be made, and that the other powers consulted would probably be induced to co-operate in such a demonstration, because their representatives are equally exposed there with our own. The President therefore proposed that those powers should announce to the government of Japan their willingness and their purpose to make common cause and co-operate with this government in exacting satisfaction, if the Japanese government should not at once put forth all possible effort to secure the punishment of the assassins of Mr. Heusken, and also in making requisitions with signal vigor if any insult or injury should be committed against any foreigner residing in Yedo, after the opening of the city in January next, according to the treaty.

The ministers addressed, as I have reason to know, promptly submitted these suggestions to their respective governments, together with a form of a convention for carrying them into effect. This projected convention. contemplated the despatch of a fleet of steamers adequate to impress the Japanese government with the ability and the determination of the states engaged, to secure a performance of its treaty stipulations.

Subsequently to these proceedings, and while no answers had yet been received from the governments consulted, your despatch (No. 20) of the date of May 8, 1861, was received, accompanied by a letter addressed by his Majesty the Tycoon to the President of the United States, and also a letter to myself, written by the Japanese ministers of foreign affairs.

Those letters expressed the desire of the government of Japan that the opening of the cities of Yedo and Osacca, and the harbors of Hiogo and Neëgata, should be postponed for the reasons more specifically set forth in the latter communication. These reasons are, in substance, that the opening of the commerce of Japan to the western nations has had immediate results very different from what were anticipated. The prices of articles of general consumption are daily advancing, owing to the extensive exportation, while but little is imported, and the people of the humble class, not being able to supply their wants, as heretofore, attribute this to foreign trade. Even higher and wealthier classes, we are told, are generally not favorably disposed towards commerce, so that soon there may be those who will condemn the abrogation of the prohibition of former times and desire the re-establishment of the ancient law. We are informed, also, that these results, following immediately upon the radical change of policy of the government, have produced a very general uneasiness, which is increased by referring to the stipulations in the treaties for the opening of the ports of Hiogo and Neëgata and the freedom of trade at Yedo and Osacca, in view of the approach of the time when those franchises will be due by the effect of the treaties with the United States, Great Britain, France, Prussia, Russia, and Holland. We are informed that it would be a matter of great difficulty for the government to exert its power and authority for the purpose of demonstrating the benefits to be realized at some future day, and thus causing its subjects to submit to the present uneasiness for some time longer. In reviewing the subject in your despatch (No. 20) you observe that you have seen no reason to change your own view of the expediency of consenting to a postponement of the opening of the city of Yedo.

You remark, also, that Osacca, being in the *Tien* or Heavenly district, where the Mikado or spiritual ruler of Japan resides, it is probable a residence of foreigners there would be regarded with dislike by a portion of the Japanese people; that Hiogo is simply the seaport of Osacca, and its opening naturally depends on that of the city, while Neëgata is a place of minor consideration. Your argument on the subject concludes that the opening of the Japanese commerce has temporarily produced a great increase in the cost of subsistence of official persons enjoying fixed and limited incomes, while their salaries have not yet been correspondingly increased. Upon the whole, you suggest that discretionary power be given to you to act in concert with the ministers of the other powers interested, in such manner as shall be most advisable for the welfare of both countries.

We are sensible of the very great perplexity of dealing with a government whose constitution is so different from our own, and whose subjects have fixed sentiments and habits so very peculiar. Moreover, we have the utmost confidence in your ability and discretion, while we know that it might be hazardous to every interest already secured to substitute a policy of our own, adopted at this distance, for one which you find necessary on the spot.

The President has, therefore, concluded to confer upon you the discretion solicited by you. To make your way easier, this determination has not been adopted without previous consultation here with the ministers before consulted, who will, of course, communicate the result of the conference to their respective governments. This proceeding will, for the present, suspend the plan of a naval demonstration, before proposed by the United States. I must, however, urgently insist that, except in the extremest necessity, you do not consent to any postponement of any covenant in the existing treaty, without first receiving satisfaction of some marked kind for the great crime of the assassination of Mr. Heusken while in the diplomatic service of the United States.

We leave the form and mode of that satisfaction to your own discretion. It would be best, if possible, to secure the punishment of the assassins. But circumstances unknown to us must enter into the question and will modify your action. The principle, however, seems to us too important to be abandoned. If the western states can keep their representatives safely in Japan, they can, perhaps, wait for the facilities stipulated; but if their ministers shall be obliged by force or terror to withdraw, all will be lost that has, at such great cost, been gained. The President acknowledges the letter of the Tycoon, and I reply briefly to the ministers for foreign affairs. Those replies accompany this despatch.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

TOWNSEND HARRIS, Esq., *&c.*, *&c.*, *&c.*, *Yedo.*

Mr. Seward to Mr. Harris.

No. 20.]

DEPARTMENT OF STATE,
Washington, October 7, 1861.

SIR: Your despatch of June 7 (No. 21) has been received.

It affords the President sincere pleasure to know that the government of the Tycoon has exerted so much diligence to bring the assassins of Mr. Heusken to punishment, and that you are satisfied that those exertions have been made with good faith. It is expected that the government will not abate its efforts until the end so important to a good understanding between the two countries shall have been attained.

The punishment of the delinquent Yakonines, who were in attendance on the deceased when the crime was committed, is regarded by this government with high approbation.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

TOWNSEND HARRIS, Esq., *&c.*, *&c.*, *&c.*, *Yedo.*

Mr. Seward to Mr. Harris.

No. 24.]

DEPARTMENT OF STATE,
Washington, October 21, 1861.

SIR: Your despatch of July 10 (No. 29) has been received.

You perhaps are informed now for the first time that your appointment as the first commissioner to Japan was made by President Pierce upon the joint recommendation of Commodore Perry and myself.

You will do me the justice, therefore, to believe that I sincerely sympathize with you in your suffering from ill health, and that I regard your retirement from the important post you have filled with such distinguished ability and success, as a subject of grave anxiety, not only for this country, but for all the western nations.

The President instructs me to say that he accepts your resignation with profound regret, and to present to you an assurance of his entire satisfaction with the manner in which the responsibilities of your mission have been discharged.

Mr, Robert H. Pruyn has been appointed to succeed you, and, I presume, will reach Yedo as early as January next. You will, of course, remain in the discharge of official duties until relieved by his arrival.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

TOWNSEND HARRIS, Esq., *&c., &c., &c., Yedo.*

Mr. Seward to Mr. Pruyn.

No. 2.] DEPARTMENT OF STATE,
Washington, November 15, 1861.

SIR: Generally a foreign mission is eminently desirable. It is no small honor to be the organ of one's country in her communications with a foreign state. The opportunities which such a position affords to serve two nations, and, consequently, the whole family of mankind, cannot fail to awaken a noble ambition in any generous and benevolent mind.

But I fear you will find embarrassments in your mission which will make you regret its honors and undervalue its powers.

Japan is a semi-enlightened and isolated country, only recently compelled into treating with the United States, as it has also been with the other western powers. The judgment of its government has been convinced, and, I have no doubt, its sentiments have been won to this new relation with the United States through the great discretion of the late Commodore Perry, and the wonderful sagacity and patience of your predecessor, Mr. Harris. But it is notorious that the people of Japan, especially its ruling classes, have not yet reconciled themselves to the sudden and complete revolution of national habits, of which there is no memory to the contrary existing among them. Hitherto, as we have reason to believe, the Japanese government and people have been kinder in their sentiments towards us than towards other western nations with whom they have framed treaties under the same circumstances.

But the time has now come for our trial. When we gently coerced Japan into friendship with us we were a united nation. We did not admit that there then was, or, indeed, that there ever had been, a stronger one in the world. Our mercantile and our naval marine vindicated this high pretension on every sea, however distant from our own continent. Nine months have wrought a great and melancholy change in this proud position. We are divided by faction, and engaged in civil war. The national authority is tasked for its utmost vigor to maintain our flag within our own territory, and our commerce is harassed by pirates of our own kindred, even in our own waters.

You know that we have no doubt of our success in putting down this unhappy insurrection and restoring the federal authority. You have already seen how the government daily gains strength, and how the insurrection already begins to decline. But what will be the influence of the news of our divisions among the semi-barbarians of Japan, magnified and painted, as they will doubtless be, by strangers, enemies of the republic, its prosperity, and its power? Will the government of Japan retain the fear which, perhaps, was the best guarantee of its good will towards us? Will the misguided faction in Japan, so hostile to all foreigners, suffer the government to remain in friendship with a nation that will seem to them to have lost the virtue of patriotism so essential to command the respect of other nations? Already we have heard that the Chinese authorities, informed of our divisions, have come to underrate our power, and to disregard our rights Is this evil to be experienced also in Japan? To prevent it is the responsibility of your mission—to watch and guard the national interests there, while the storms of faction are spending their force against the government at home, will be your chief duty. It will require great dignity and firmness, combined with equal prudence and moderation. I can give you only one counsel. Have faith, under all circumstances, in the virtue of your countrymen, and, consequently, in the triumph of the Union. If you fail in that faith, your distrust will be discovered by the ill-informed and feeble-minded community around you. They will have no respect for a government which they think more pretentious while it is weaker than their own; your mission will be a failure, and perhaps end in disaster and danger. If you have that faith, you can impress it upon the government and people of Japan, and their friendly relations towards us may be retained until, our domestic differences being ended, we are able once more to demonstrate our power in the East, and establish our commerce there on secure foundations. You will find no open questions for discussion in your mission. It is important to preserve friendly and intimate relations with the representatives of other western powers in Japan. You will seek no exclusive advantages, and will consult freely with them upon all subjects, insomuch as it is especially necessary, at this time, that the prestige of western civilization be maintained in Yedo as completely as possible. In short, you will need to leave behind you all memories of domestic or of European jealousies or antipathies, and will, by an equal, just, and honorable conduct of your mission, make the simple people of Japan respect, not only the institutions of your own country, but the institutions of christianity and of western civilization.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Robert H. Pruyn, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Harris.

No. 25.]

Department of State,
Washington, November 19, 1861.

Sir: Herewith I enclose, accompanied by an office copy, a letter from the President to his Majesty the Tycoon of Japan, announcing your recall at your own request. A duplicate of this letter will be committed to the care of your successor, Mr. Pruyn, who will soon set out for his post, and whose arrival at Yedo it is very desirable you should await.

On taking leave of his Majesty, you will, of course, make known to him in appropriate terms the friendly sentiments towards his government entertained by the President and people of the United States, and express the hope that the two countries may be drawn still more closely together by the ties of amity and good understanding.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Townsend Harris, Esq., *&c., &c., &c., Yedo.*

Mr. Seward to Mr. Pruyn.

Department of State,
Washington, December 9, 1861.

Sir: The accompanying sword is one of the two which were purloined from the Japanese ambassadors during their stay at Baltimore. in June, 1860. It has recently been forwarded to the President by Major General Dix, who states that its recovery is due principally to the exertions of Mr. McPhail, deputy provost marshal of the police of Baltimore.

I commit it to your care in order that you may restore it to its rightful owner on your arrival at Yedo. The occasion of your doing so will be a proper one to impress upon the Japanese authorities a sense of the importance which we attach to the detection and punishment of crimes of every degree committed by our citizens. Though the guilty may escape for a while, the ends of justice here seldom fail of accomplishment. Especially is this the case when the victims are citizens or subjects of a friendly power.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ROBERT H. PRUYN, Esq., *&c., &c., &c., Albany, N. Y.*

Mr. Seward to Mr. Pruyn.

No. 3.]

DEPARTMENT OF STATE,
Washington, December 19, 1861.

SIR: I address to you, on the eve of your intended departure, my replies to the recent despatches of Mr. Harris, for the reason that he is expected to take his leave of the Tycoon as soon as you shall have arrived at Yedo.

Mr. Harris's despatch of July 12 (No. 30) is before me. It communicates a conversation which he had just before held with the minister for foreign affairs of the Tycoon on the subject of the outrages which had been recently committed by some of his subjects against the British legation at Yedo. At this distance no reliable opinion can be formed concerning the good faith of the government of Japan in the explanations made on that occasion. I learn from sources outside of the despatch itself that the British government is not satisfied upon the point thus raised. It must be left largely to your discretion to determine the matter for yourself, and to express satisfaction or dissatisfaction to the Japanese government as you shall decide to be just and wise.

I notice in Mr. Harris's despatch some ground for supposing that a good understanding does not exist between him and Mr. Alcock, the British minister in Yedo. I forbear from judging upon the causes of the alienation, although we have abundant reason for believing Mr. Harris to be always just and prudent in his intercourse with the representatives of the other western powers.

At the same time I cannot too earnestly enjoin upon you the duty of cultivating the best possible understanding with those representatives, and of doing all in your power to maintain harmony of views and policy between them and yourself, because very large interests, not of our own country only, but of the civilized world, are involved in retaining the foothold of foreign nations already acquired in the empire of Japan.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ROBERT H. PRUYN, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Pruyn.

No. 4.]

DEPARTMENT OF STATE,
Washington, December 20, 1861.

SIR: Mr. Harris's despatch of July 15 (No. 31) has been received. It announces to us that the consul general of the Netherlands, then at Yokahama, in consequence of the late attack upon the British legation at Yedo, had determined not to return there until further instructed by his government. It is, of course, for his government to pronounce upon the wisdom of that course; but we are at liberty to express our regret that the interests of the western nations in Japan have lost the advantage of the presence of a representative of so respected a power in Yedo.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Robert H. Pruyn, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Pruyn.

No. 7.]

Department of State,
Washington, February 5, 1862.

Sir: Mr. Harris's despatch of October 14 (No. 40) has been received. It conveys to us the pleasing information that two more of the assassins who were engaged in the attack on the British legation had been detected and had perished; and, further, that Mr. Alcock, the British minister at Yedo, had now become satisfied that the government of the empire was acting with good faith in its endeavors to bring the offenders in that wicked transaction to justice.

It will be your pleasant duty to felicitate, in the President's name, not only the Japanese ministers for foreign affairs, but also the British minister, on these gratifying accounts, so honorable to the government of the Tycoon, and so conducive to the peace of his empire.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Robert H. Pruyn, Esq., *&c., &c., &c., Yedo.*

Mr. Seward to Mr. Pruyn.

No. 8.]

Department of State,
Washington, March 11, 1862.

Sir: Herewith I transmit a sealed communication, addressed to their excellencies the ministers for foreign affairs of his Imperial Majesty the Tycoon of Japan, in answer to one from them on the subject of the retirement of your predecessor from the mission to that empire. I enclose for your information a transcript of this communication, and request that you will place the original in the hands of their excellencies without delay.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Robert H. Pruyn, Esq., *&c., &c., &c., Yedo.*

Mr. Seward to Mr. Pruyn.

No. 10.]

Department of State,
Washington, March 24, 1862.

Sir: Mr. Harris's despatch of November 23 (No. 49) has been received.

The views expressed therein concerning the questions between this govern ment and that of Japan, which had previously been committed to him for con sideration, appear to the President to be eminently sagacious. You will communicate these sentiments to Mr. Harris if he shall yet be remaining at Yedo.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ROBERT H. PRUYN, Esq., *&c., &c., &c., Yedo.*

Mr. Seward to Mr. Pruyn.

No. 9.] DEPARTMENT OF STATE,
Washington, March 24, 1862.

SIR: The despatch of Mr. Harris, of the 27th of November (No. 50) has been submitted to the President.

The arrangement which Mr. Harris has made with the Japanese government, by which that government agrees to use its most diligent efforts to bring to condign punishment the murderers of the late Mr. Heusken, our secretary of legation, and also to pay to this government, for the use of Mr. Heusken's doubly bereaved mother, ten thousand dollars, is entirely satisfactory to the United States.

You will assure the minister for foreign affairs that the President is most favorably impressed by the promptness and cheerfulness with which the government of the Tycoon has acceded to the demands, in that respect, which the President deemed himself obliged to make by a careful regard to the rights and the honor of our own country. He reposes full confidence upon the sincerity and good faith of the Tycoon and his enlightened ministers.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ROBERT H. PRUYN, Esq., *&c., &c., &c., Yedo.*

Mr. Seward to the ministers for foreign affairs of Japan.

To their excellencies the ministers for foreign affairs of his Majesty the Tycoon of Japan:

I have carefully read and considered the letter which you have addressed to me concerning a postponement of the time for the opening of Yedo to residence by American citizens, and of certain ports to American commerce, stipulated in our existing treaty with Japan. I have also received the instructions of the President of the United States thereupon.

Your letter presents very important considerations in a strong light and in a good and liberal spirit towards the United States and other western nations. The subject, however, has been complicated by the yet unpunished and unatoned homicide of Mr. Heusken, our late secretary of legation. You must be aware that the first element of national fraternity is the safety of the persons charged with the conduct of their mutual intercourse and relations. The spirit of this government is liberal and friendly towards Japan, but it is obliged to ask that its messengers to that country shall be protected by the government of Japan. I have reason to know that the same spirit animates all the western powers.

I shall fully instruct Townsend Harris of the views and opinions of this government, and I sincerely trust that he will be able to negotiate with you upon a basis that shall render the future intercourse between your great country and our own a perpetual source of benefit to both.

I offer to your excellencies the assurance of my very high and distinguished consideration.

WILLIAM H. SEWARD.

DEPARTMENT OF STATE, *Washington, August* 1, 1861.

The President of the United States to the Tycoon of Japan.

A. LINCOLN,

PRESIDENT OF THE UNITED STATES OF AMERICA.

To his Majesty the Tycoon of Japan:

GREAT AND GOOD FRIEND: I have received the letter which you have addressed to me on the subject of a desired extension of the time stipulated by treaty for the opening of certain ports and cities in Japan. The question is surrounded with many difficulties. While it is my earnest desire to consult the convenience of your Majesty, and to accede, so far as I can, to your reasonable wishes, so kindly expressed, the interests of the United States must, nevertheless, have due consideration. Townsend Harris, minister resident near your Majesty, will be fully instructed as to the views of this government, and will make them known to you at large. I do not permit myself to doubt that these views will meet with your Majesty's approval, for they proceed not less from a just regard for the interest and prosperity of your empire than from considerations affecting our own welfare and honor.

Wishing abundant prosperity and length of years to the great state over which you preside, I pray God to have your Majesty always in His safe and holy keeping.

Written at the city of Washington this 1st day of August, 1861.

Your good friend,

A. LINCOLN.

By the President:
WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to the ministers for foreign affairs of Japan.

To their excellencies the ministers for foreign affairs of his Imperial Majesty the Tycoon of Japan:

Your communication of the fourth day of the eleventh month of the first year of Runkin has been submitted to the President.

I cannot express strongly enough the satisfaction he has derived from the testimony you bear to the good character and wise conduct of Townsend Harris, our late minister in Japan.

It is a deserved crown of his long period of public service that the same high appreciation of his merits and usefulness is entertained by the government which sent him abroad and by the government near which he has been accredited.

It was the President's deliberate purpose to continue him in his mission, but Mr. Harris, by pleading increase of years and the failure of health, obliged this government to accede to his desire to be recalled. Doubtless his successor has already arrived at Yedo, and Mr. Harris is on his return to the United States. The change has been reluctantly made, but knowing Mr. Pruyn very well, and having the highest confidence in his ability and virtue, I feel entirely assured that he will soon render himself acceptable to the Tycoon, and will succeed in preserving the good relations now so happily existing between the United States and Japan.

I pray your excellencies to accept the assurance of my highest consideration.

WILLIAM H. SEWARD.

DEPARTMENT OF STATE, *Washington, March* 5, 1862.

Mr. Seward to the ministers for foreign affairs of Japan.

To their excellencies Kudsi Yamato no Kami and Ando Tsusima no Kami, ministers for foreign affairs of the empire of Japan:

I have received the letter which your excellencies did me the honor to address to me on the 5th day of May last, in which, while regretting the retirement of the late minister, Mr. Townsend Harris, you express the hope and belief that the new minister, Mr. Robert H. Pruyn, will prove not less acceptable to your government than his predecessor has been, and that he may be equally successful in preserving the most friendly relations between the two countries.

I assure your excellencies, in all sincerity, that in yielding to Mr. Harris's desire to return to his native country, we felt the difficulty of selecting a fit successor to him, and regretted the necessity which compelled him to request his recall. I am sure, however, that in Mr. Pruyn your excellencies will soon discern the same qualities that commended Mr. Harris so warmly to your regard—the same just and conciliatory disposition, and the same earnest desire to advance the interests of your country, and, indeed, of all countries, without sacrificing those of his own. I am also sure that when Mr. Pruyn shall have resided long enough at the court of your empire to acquire a thorough knowledge of your affairs, he will be not less useful than the late minister was, nor less successful in winning your esteem and confidence.

Wishing you health and prosperity, I assure your excellencies of my highest consideration.

WILLIAM H. SEWARD.

DEPARTMENT OF STATE, *Washington, August* 7, 1862.

CHINA.

Mr. Burlingame to Mr. Seward.

[Extracts]

No. 3.] HONG KONG, *November* 14, 1861.

SIR: I have the honor to inform you that I have visited Canton, where I had an interview with Laon, the governor general of the provinces of Kwangtung and Kwangsi. These provinces contain a population of thirty-five millions of people. The visit was made upon him at his official residence, and resulted in the fullest expression, on his part, of the good will of his people for us and our institutions. He informed me that the young Emperor would enter upon his official duties on the 9th of this month, and that Prince Kung would remain minister of foreign affairs, thus securing a continuance of the friendly relations which now exist between the Chinese and foreigners.

When the governor desired to return my visit, I left it optional with him to do so either at the house of Russell & Co., whose guest I was, or on board of the Hankow, a fine American steamer, which was kindly placed at my service. He instantly chose the latter. He came with a large retinue and seemed much pleased with what he heard and saw.

The manner of the interview is only important in that it was the first time any one of his rank, among the Chinese, ever came so near our western civilization, as manifested in the complex machinery of a steamboat.

I have received a despatch from Mr. M. C. Morrison, the British consul at Tangchowfoo, Yentai, informing me that, as he was the only foreign official at that place, he felt that it was his duty—the friends of the deceased consenting—to procure a *post mortem* examination of the bodies of the Rev. Mr. Holmes and the Rev. Mr. Parker, our missionaries, who were murdered by the rebels. The examination was made by Mr. Lagarde, surgeon of the first class of the French navy, who sent me a full report, for which he refused to accept the fee usual in such cases. I addressed warm letters of thanks to each of these gentlemen, and wrote them that I should bring their noble conduct to the attention of my government.

Our consuls, Messrs. Carpenter and Mangum, whose loss I feared in my last despatch, have arrived. I shall transfer the legation from Macao to Shanghai by the next steamer.

Your obedient servant,

A. BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Burlingame to Mr. Seward.

No. 6.] SHANGHAI, *December* 24, 1861.

SIR: I have the honor to inform you that I arrived at this place Saturday, the 21st of December.

I here learn that Ningpo, a city about ninety miles from this place, has fallen before the rebels.

The manner in which it was taken I have learned from despatches which I have just received from our consul, Mr. Breck, copies of which, marked A, B, C, and D, I herewith send.

From those you will learn that Ningpo, after years of threatening, was gradually approached and finally taken after a feeble defence.

In the terror created by the rebel approach, the consuls of the foreign nations, including our own, met at the British consulate to concert measures of safety for their countrymen. They made a statement of their views, which, by the hands of Mr. Breck, was placed before the rebels and responded to by them.

It will be perceived that the consuls held an attitude of neutrality, and warned the rebels against any injury to their countrymen, and that the rebels cordially accepted their views and guaranteed the safety of the property and lives of the foreigners. It is evident, from the answers of the rebel generals, (copies of which, full of errors, just as they came to me, I enclose,) that they imagined that they were treating with the foreign officials, and that they were delighted at securing so great a recognition.

It may be barely possible that the imperial government may suggest that the consuls went too far; but it may be replied that the government failed to do its duty, and the consuls did the best they could under the circumstances. It is clear that we cannot recognize the rebels without a violation of our treaty obligations, and I shall, in this most delicate condition of affairs, act with the greatest caution.

The news this morning is that the rebels, so far from preserving order, are robbing and killing in the most barbarous manner. As to trade, they wish to buy only arms and opium, and men are trading with them in these articles to the great injury of legal commerce. There is great anxiety touching the future. If the rebels continue to hold Ningpo, the whole system by which duties are collected, which has been settled with infinite trouble, will be menaced.

Sir Admiral Hope, with Mr. Parkes, left this morning for Nankin to inform the rebels that if they approach within thirty miles of Shanghai they would be attacked. The English and French are covering every point of danger with their numerous soldiers and war vessels, and I must write that I feel quite sad when I remember that we have not one soldier or sailor in all this region.

I shall probably go to Ningpo to see what I can do for my countrymen and to aid our consul in this most serious time.

I send copies of letters from the English and Russian ministers.

I am, sir, your obedient servant,

A. BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State.

A.

UNITED STATES CONSULATE,
Ningpo, December 10, 1861.

SIR: I have the honor to advise you in regard to the present state of affairs at this port, and the measures adopted by the official representatives of treaty powers for the protection of life and property.

The approach of the rebel army upon Ningpo has been very gradual, and many times during the past few years it has been rumored that the city was about to be besieged. Until within a few weeks past, however, the people have continued in the city pursuing their usual avocations and but little alarm excited. About six or eight weeks since the insurgents captured some of the towns and cities in the interior which commanded the approach to Ningpo. The people of this city became terror-stricken, and before the rebels had approached within thirty miles of Ningpo the city became deserted, every place of business closed, and all property of value removed; the Chinese on the foreign settlement side deserted their homes, and, in view of the existing state of affairs and the anxiety naturally felt amongst foreigners, a meeting was held at her Majesty's consulate on the 28th November, as per copy minutes marked enclosure No. 1.

With this communication I proceeded to Yu-yaou, thirty miles into the interior, in her Majesty's gunboat Kestrel, (her Majesty's consul remaining at Ningpo,) and presented the same to the general commanding the rebel forces, and had a long personal interview, in which the lives and property of foreigners were most amply guaranteed. For copy translation of the reply to this communication of the general commanding I beg reference to enclosure marked No. 2; and for reply to General Fan, commanding another division of the insurgent forces, approaching the city in an opposite direction, and to whom two days subsequently was presented the same communication, I beg reference to enclosure marked No. 3.

On Friday of the last week the insurgents arrived opposite the city walls; on Saturday and Sunday slight skirmishes were had, preparatory to a final and determined attack at the south gate. Yesterday morning at 9 o'clock the walls were scaled, the imperial forces fled, and the rebels are now in possession of the city. The taoutai and admiral commanding escaped; the che-foo and district magistrate were killed. There were but few killed on either side, and, since the possession of the city, no outrages have been known to be committed by the rebels.

In this anomalous state of affairs arises the question what course is to be pursued by foreign powers in regard to the customs and various relations which must exist in our intercourse with these people. I have had conference with her Majesty's consul, but no decided course of action has been adopted, and I have great hesitation. I have decided to await advice from the legation, and I would most urgently invite your excellency to come to Ningpo, that, by your personal observation and with a perfect understanding of the state of affairs existing, you may be able to judge of the right policy to pursue.

I am, sir, very respectfully, your obedient servant,

WILLIAM BRECK,
Acting United States Consul, Ningpo.

Hon. ANSON BURLINGAME,
United States Minister, &c., &c., Shanghai.

B.

Minutes of a conference held at her Britannic Majesty's consulate, Ningpo, Thursday, the 28th day of November, 1861.

Present: William Breck, esq., United States consul; Monsieur Léon Obry, Imperial Majesty's navy, commanding steamer Confucius; Lieutenant Henry Haxham, royal navy, commanding her Majesty's gunboat Kestrel.

This conference has been appointed to be held this day, at her Britannic Majesty's consulate, in consequence of the threatened advance of the insurgent forces on Ningpo, and the well grounded reports of their immediate arrival here, with the view of capturing the city. It can only be a source of deep regrets to the undersigned to see Ningpo attacked and exposed to the horrors and destruction consequent on its becoming the scene of a struggle between the rival parties; but, as the undersigned do not consider themselves authorized by their instructions to afford a military protection to the town of Ningpo, or to take any active measures against the insurgents, all that is left for them to do is to afford protection to the persons and property of their respective countrymen, and the means of escape to them, should the authorities attempt to defend the city, and escape become necessary.

In the present uncertainty as to the real movements of the rebel forces, and more especially as to their intentions in regard to foreigners, on the arrival at Ningpo, the undersigned, after consultation, have agreed that it would be highly expedient for the security and confidence of foreigners that a direct and personal communication should be held with the insurgents before their immediate approach to Ningpo, for the purpose, in the first place, of ascertaining their instructions, and secondly, of conveying to them the course which the undersigned intend to pursue on the insurgents' arrival.

With this view it has been decided that the undersigned shall proceed this day on board her Majesty's gunboat Kestrel to the rebel headquarters, either at Yu-Yaou, or wherever they may be found, between that city and Ningpo, and having obtained an interview with the insurgent leaders, to convey to them verbally, as well as in writing, the following message:

First. That the undersigned take no part in the civil contest, but they claim exemption from injury and annoyance at the hands of both parties, and that they will expect full and ample reparation if they are in any way molested.

Second. That the undersigned would urge in the most earnest manner, on grounds of Christianity and humanity, before the leaders and body of the Taiping army, the benefits to them of not disgracing their cause by the commission of excesses, either in the locality they now occupy or on their arrival at Ningpo.

Third. That the first and paramount duty of the undersigned being the protection of the lives and property of their respective countrymen, they desire to inform the leaders of the Taiping body that the quarters of Ningpo, where foreigners are principally located, being quite distinct from the city, and on a branch of the river separating the two, care must be taken by the Taiping leaders and men from coming on the foreign settlement side, as such a step might lead to serious evils, and in all probability complicate questions between them and foreigners.

Fourth. That whether in or out of the city, or the foreign settlements, or elsewhere in the suburbs where their countrymen reside, the lives and property of those countrymen must be cared for and respected—not the least attempts being made to injure or annoy them—and the undersigned cannot but strongly urge on the leaders the serious consideration of this last and important recommendation.

Done at Ningpo, at her Britannic Majesty's consulate, at the time and place above given.

WILLIAM BRECK,
United States Consul.
L. OBRY,
Capitaine du Confucius.
FREDERICK HARVEY,
Her Majesty's Consul.
HENRY HAXHAM,
Com'g Her Majesty's Steamer Kestrel.

C.

Copy translation of communication of General Fan, native commander of one portion of the Taiping army, on its approach to Ningpo, in reply to joint communication of consuls, &c., as per above.

Pursuant to the truly heavenly edict of the Taiping heavenly realm, (from) the royal city, the Taou-nyih, (destroyer of rebellion, a title of nobility,) General Fan, native, answer to the English consul, &c., Ningpo, Harvey; the American consul, &c., Breck; the English naval commander Haxham, and the French naval commander Obry, most respectfully, that by this reply to your communication your hearts may be at rest. Inasmuch as the Heavenly Father, the Emperor Lord and Sovereign (or august) God, and the Heavenly brother Jesus sent my truly sacred Lord, the Heavenly King, down to this world to govern China with the design of destroying the imps and saving the people, and of lightening up the inhabitants of China, therefore I, the native commander, have reverently received this special edict to conquer the regions beyond (Nankin) and extend the Taiping dominions, in order solely to save the people and punish offenders. Now, my brave army has reached Ningpo, (foo,) with intentions of taking the foo city and make it the base of operations, and thus restore quiet to the people.

I have at this junction received your communication and fully appealed its imports, and what you have said I, the native commander, fully agree to. It is, of course, plainly my duty thus to warn the soldiers, that they may, revering the mercy (literally, the heart) of heaven, abstain from all disorderly conduct. It is my wish that you may be free from anxiety.

In reference to the day of which we spoke in our personal interview, you will certainly abstain from mentioning it. Let us be perfectly sincere, (literally, make sincerity our basis.)

The houses, persons, and property belonging to (citizens of) each of your honorable countries I, the native commander, and bound most stringently to forbid the soldiers from molesting in the slightest degree.

With respect to your honorable countries, merchandise, and their business going on as before, let them be buying and selling with even greater equity, and (the soldiers) will by no means dare to rob and plunder. The words of a gentleman are all to be depended upon, for then his faithfulness (sincerity) can by no means be changed.

A special reply to your communication with salutations, I also send papers, (*i. e.*, posters, to be posted upon houses belonging to American citizens.)

11th year, 10th month, 22d day of the Taiping Heavenly Kingdom.

D.

Copy communication (translation) from general of left division (hong) of the Taiping army on its approach to Ningpo, in reply to joint communication of consuls, &c., as per annexed.

Pursuant to the heavenly edict (of) the Taiping heavenly realm, (of) the heavenly dynasty from the royal city, (literally, nine gates, epithet of division of the *army* of Nankin?) the founder of the dynasty, (from his) royal official residence, the commander of the left division, the Paout-an nyi, (probably a title of nobility,) (Wong) makes this communication to the American consul, &c., at Ningpo, Breck; the English consul, &c., Harvey; the English [French] naval commander Obry, respectively, requesting their consideration, in order that we may concert peaceful measures.

It is understood that since the creation of the world, then in China and foreign countries. In China we got our lord, (emperor,) and so with every foreign country; they have their rulers, &c. I speak concerning the Ching, (present dynasty;) they are nothing but barbarians, and they have disguisedly entered China and overlook the government ever since the time of the former "Ming" dynasty, and have polluted the customs and rules of the place, on account of which they are inexcusable. It was two hundred more years up to now, and their sins are much exaggerated; therefore they have caused our Heavenly Father to be very angry, but our Heavenly Brother, Jesus Christ, is full of compassion to save the world, who intentionally sent the Sacred Lord, the "Tui-Wong," to come down to the world, in order to clean away the barbarians, and to replace everything for the re-establishment of *Hou* dynasty.

This is the time when to see heaven and men on agreeably mutualized, and this is the very time when to see the kingdom to be altered. And now I, the general, have respectfully received the sacred command, and with a large army have reached from north to south of this empire, for to save the people and punish the wicked. Is not this act, on my part, to save the people agreeable to the command of the court, and in not so also to cut down all wicked for the, consequently, wherever place I entered, the people, with their vessels containing victuals, &c., came out to meet me and welcome my army. At present my great army has come to Chit-Kiang province; and it has been told to me that you, honorable countries (consuls) of Ningpo, have come to Yu-Yaou, and as I, the general, and always bearing in mind the good meaning of harmony, and not wishing to see the injury of each other, have to request that you would make this known to every officer and soldier of your respective nations, that when my army arrives at Ningpo my men will not be allowed to go abroad and to disturb the houses and properties of the people, nor allowed to hurt the life of any man of your respective nations. I, the general, will certainly give orders to my officers and soldiers about the same; and, should there be any of bad officers or soldiers who daringly cross over and make any disturbance, be good enough to take hold of such wicked men and hand over to me, where I, the general, will most undoubtedly cut off his head; and, supposing there should be any unlawful man of your honorable countries, (consuls,) would also direct such men to come back and not to help them at all, which act will show that we are in harmony, and our agreement will never be disregarded, and begging you to be assured in mind about this harmony, &c., &c.

Wishing you daily happiness,

Dated Taiping, Tui Kock, 11th year, 10th moon, and 19th day, *i. e.*, November 21, 1861.

[All these papers printed exactly as received at the department.]

PEKING, *December* 3, 1861.

SIR: It was with a real pleasure that I learned your appointment as envoy extraordinary and minister plenipotentiary of the United States in China.

The friendly intercourse of all our predecessors made me always desire the presence of a representative of your government in Peking, and I therefore look forward with impatience to prove once more towards your excellency those sentiments of sincere friendship which have always existed between our respective governments. I am very sorry to state that the advanced season will not permit a personal acquaintance with you before the beginning of the spring, but let me assure you that I shall be most happy to be in anything useful to the success of your mission, and avail myself of this occasion to pray your excellency to agree the high consideration, sir, of your most obedient servant.

L. D. BALLUZEEH.

His Excellency Mr. A. BURLINGAME,
Envoy Extraordinary and Minister Plenipotentiary of the United States to China, &c., &c.

PEKING, *December* 3, 1861.

SIR: I have the honor to acknowledge receipt of your excellency's letter, informing me of your appointment as envoy extraordinary and minister plenipotentiary of the United States in China, and of your assumption of the duties of that office.

The cordial and friendly relations that existed between his excellency Mr Ward and myself during a very eventful period in China have always been a source of much gratification to myself, and I can assure your excellency that you will find in me a sincere disposition to continue those relations on the same footing with yourself. The interests of our two governments in this country are absolutely identical, and united action cannot fail to promote them.

I may state that the beneficial results of direct intercourse with the highest officers of this empire are becoming more and more manifest in proportion as that intercourse is extended.

I avail myself of this occasion to express to your excellency the assurance of my highest consideration.

FREDERICK W. A. BRUCE.

Mr. Burlingame to Mr. Seward.

[Extract]

No. 7.] SHANGHAI, *January* 9, 1862.

SIR: I have the honor to inform you that Vice Admiral Sir James Hope, of whom I made mention in my last despatch, has returned, and that he has done me the honor to communicate to me, confidentially, the results of his expedition.

The object of it was briefly this: to demand payment for certain robberies committed by the rebels on British subjects in the Yang-tze Kiang river; to inform them that Chinese junks, purchased by British subjects, were *bona fide* British property, and, therefore, must not be interfered with by them; to notify them of the measures which had been taken to prevent the assumption of the British flag by improper parties; to call their attention to the fact that they had not kept the pledge they had made last spring, not to approach within one hundred li of Shanghai; and to inform them, as Hankou and Kew Kiang had become of great importance for trade, that, like Shanghai, they must not be molested. These demands and information were made known to them, through senior officer Henry M. Bingham, by Mr. Harry S. Parkes, who acted as interpreter. The rebels responded with great spirit, declaring that they should attack not only the places indicated, but all others held by the "imps," and that, if the foreigners interfered, they must perish with them.

They refused utterly to respond to any of the demands made by the admiral, but, in doing so, they expressed a desire to be at peace, and claimed to belong to the same family, because they worshiped the same God. The admiral responded in the most pointed and peremptory manner, that, if they interfered with the trade of the Yang-tze Kiang, or attacked any of the forbidden places, they would be repulsed, as they had been on former occasions, and as their "folly would deserve." The documents from which I have made the above brief statement are quite voluminous, and I did not feel at liberty to copy from them, under the request of the admiral that I should hold them measurably confidential.

It is not possible to write what will probably be the result of the present state of things. The rebels in certain quarters seem to be gaining, and in others losing ground. Since my last despatch they have taken Hang Chow, a city not far from Ningpo. In another despatch I will give a fuller account of them and of their purposes.

I am happy to inform you that as soon as the admiral arrived he called upon me, and, in the warmest manner, tendered me, on behalf of his government and himself, any assistance I might need in this anomalous state of affairs. He soon after sent me the courteous letter, a copy of which I enclose. In the morning I shall avail myself of his kind invitation to visit Ningpo by his ship. At Ningpo our people are now exposed to the capricious conduct of the rebels. I shall not feel at liberty to hold any official intercourse with the rebels which they might construe into a recognition.

* * * * * * * * * *

I have the honor to be your obedient servant,

A. BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State.

COROMANDEL, SHANGHAI,
January 7, 1862.

SIR: Circumstances having occasioned the recall of the greater part of the American vessels-of-war in these seas, it may be proper to acquaint you that the commanders of her Majesty's vessels stationed at the several consular ports are instructed, "so far as the means at their disposal will admit, to afford the same protection to the subjects of such foreign states as are on terms of amity with her Majesty as to British subjects," and that it will afford me much pleasure to promote the objects of your mission in every mode in which personally I can be serviceable to you.

I have the honor to be, sir, your obedient servant,

HOPE,
Vice Admiral, Commander-in-Chief.

Hon. ANSON BURLINGAME,
United States Minister in China.

Mr. Burlingame to Mr. Seward.

No. 8.] SHANGHAI, *January* 23, 1862.

SIR: I have the honor to inform you that on the morning of the 10th of January I started for Ningpo, on board of her Majesty's ship Coromandel, by the invitation of Vice Admiral Sir James Hope, and arrived there on the 11th.

We found the rebels in possession of the city commanded by two generals, whose forces were variously estimated all the way from ten to fifty thousand men. As in all places taken by them, there was presented a scene of utter desolation, for they destroy everything and consume nothing. I saw heads and bodies of the dead lying unburied in the streets. The inhabitants who could flee had fled, and those who remained were terror stricken. The foreign settlement was menaced, and only saved from slaughter by the presence of the English war vessels the Scout and Kestrel, and the French war vessel Confucius, In the presence of these things, the admiral and myself determined, after mature deliberation, to give the rebels notice that, under no circumstances, must they invade the foreign quarter, and, that they might know where it was, we caused it to be defined according to the minute, a copy of which please find marked A. You will be glad, I hope, to perceive that the minute is drawn with great care, so as not to involve the government. It is a provisional measure for defensive purposes to secure the enjoyment of our treaty rights and subject to our treaty obligations. The other treaty powers would have gone, I think, a little further than this, and demanded a concession of territory, subject to the ratification of the imperial government; but I did not feel at liberty to do this, remembering our policy, and the minute was kindly made to conform to my views.

On my return to Shanghai I found the condition of things as pointed out in the letter of the Rev. M. S. Colbertson, which I send, marked B. It is not possible to ascertain the number of the rebels. We only know that they are on every side, and that they are the very incarnation of destruction: The smoke of the fires of the burning houses and villages has been ascending in every direction for more than a week. They take a place, "loot" it, kill the old and the young, and force the strong men to join them and to wear their mark in such a way as never to be able to return to their old allegiance. I received yesterday a despatch from their general, Ho, a copy of which I send, marked C. He informs me that they are approaching Shanghai by five routes, and that, while they do not desire to injure foreigners, he declares that if they are interfered with he will conquer them and all the whole world besides. The list of cities taken by them, and enumerated by him, I think is tolerably correct. The Chinese proper seem to be perfectly impotent in their presence and are crowding by the hundred thousand into Shanghai, seeking the protection of foreigners. There are, all told, of foreigners only about three thousand, and of these but two thousand are soldiers, and yet this force, small as it is, I believe is competent, if well handled, to hold the place. The misfortune is that the rebels destroy trade now and the hope of it hereafter, and that this city, whose export trade in favorable times is nearly as great as the export trade of the Russian empire, will be very much injured. The most active measures are taken for defence, not only by the military but by the citizens. What the latter are doing you will learn from the report I send, marked D. The French soldiers are charged with the defence of Shanghai proper, and the English with the defence of the foreign settlement. The Americans, as volunteers, are lost in the latter force. Mr. Cunningham, whose name is at the head of the committee for defence, is an American, at the head of the house of Russell & Co., at Shanghai. The admiral, Sir James Hope, informs me that he has written to Mr. Bruce, at Peking, to have the British force of fourteen hundred men at Tien-tsin, which has been ordered home, detained, and to have a re-enforcement sent up from Hong-Kong.

I have transferred Mr. William Breck, our present consul at Swatow, to Kinkiang, a place about five hundred miles up the great river Yamg-tze-Kang. I have done this in the interests of our immense trade now springing up along that river, and because he is by his energy and ability peculiarly qualified in this forming time of that trade for that position. I have appointed him acting consul, subject to the approval of the President. I will fill the vacancy caused by the transfer by the appointment of a good man for Swatow, also. I hope to be approved by the government.

I have the honor to be, sir, your obedient servant,

A. BURLINGAME.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

A

Minute of a conference held at the United States consulate at Ningpo, China, this Monday, the 13th day of January, 1862.

Present: Captain J. Corbet, royal navy, her Majesty's steamer Scout; Willie P. Mangum, esq., United States consul at Ningpo; Frederick Harvey, esq., her Majesty's consul at Ningpo; Mr. Léon Obry, captain of his Imperial Majesty's steamer Confucius, and French consul at Ningpo.

Whereas certain forces in opposition to the government of China have captured the city of Ningpo and its surrounding districts; and whereas, in the absence of any imperial authority, it is necessary for defensive purposes, for the protection of life and property, and for the general security, order, and good government of foreigners residing at Ningpo, that certain limits should be clearly defined within which those foreigners are to reside, free from molestation, aggression, or interference of any kind, for these purposes the undersigned, as the only representatives of foreign powers at this port, have this day met together at the United States consulate, and have, after consultation, agreed and determined upon the following three articles:

1. That that tract of land or country or promontory known as the Keang Pih-Sete, and comprised within the boundaries or limits drawn by the Yung river, the Yu Yau, a branch of the said river, the Pih-Sha-Ho creek, and a line drawn across the field from the Sge-chow-taue (or temple) to join the Yu Yau river above mentioned, (the whole site forming an irregular quadrilateral or trapezium,) shall from this date and hereafter be assumed and considered as the foreign site, within which such foreigners shall reside free from any interference of any nature whatsoever, subject always to their respective treaty obligations.

2. The undersigned reserve to themselves the right to make and establish such rules and regulations within the limits above mentioned as the future necessities of the settlement may be made requisite, such regulations to be in conformity with the provisions of their respective treaties with the imperial government of China.

3. The above agreement, to which the undersigned have appended their approval and signatures, will be submitted without delay to the high ministers and officers of the nations to which the undersigned respectively pertain and belong.

WILLIE P. MANGUM,
United States Consul.
FREDERICK HARVEY,
Her Majesty's Consul.
JOHN CORBETT,
Her Majesty's steamer Scout.
LÉON OBRY,
Captain His Imperial Majesty's steamer Confucius and French Consul.

B.

SHANGHAI, *January* 14, 1862.

DEAR SIR: As the steamer leaves this afternoon, I take the liberty of sending you a line in reference to the state of things at Shanghai, as I have not a little at stake in the result of the disposition which may be made by foreign powers in reference to the rebels. Your despatch from our consul will no doubt inform you that the rebels are now all around us in considerable force, with a prospect of daily increase. We on this side of the Su-chau creek are left entirely unprotected, although the rebel forces are on our side, and within four or five miles of our houses. I am aware that you have no force with which to assist us, and that it is out of the question for the military and naval authorities of other powers to extend their line of defence so as to include this settlement. My object in writing is not to apply for aid or give advice, but simply to express my opinion that it is very desirable you should be present in Shanghai as soon as possible. I am satisfied the rebels are coming with an immense force, and a firm determination either to take Shanghai or destroy it, if they can. The force opposed to them here is sufficient, I believe, to defeat any number of rebels in any open fight; but when I consider the extent of ground to be defended, I am satisfied the force now here is wholly inadequate to guarantee the settlement against the consequences of another mode of warfare which the rebels may be able to employ. I mean incendiary fires at night. They have it in their power also to draw a cordon around us and cut off our supplies, and in this very way give us much trouble. As matters stand now, the English and French appear as the allies of the imperialists, fighting side by side with imperialist troops against the rebels. We can easily understand the effect of this upon the minds of the rebel leaders. Would it not be better if the foreign powers should hold Shanghai for themselves and not for the imperial government? Could they not compel the imperial troops to leave and notify the rebels that this must be considered strictly neutral ground by both parties?

Perhaps you might have some influence here by your counsels, even without any show of force.

Begging pardon for the liberty I have taken, believe me, dear sir, with much respect, yours most truly,

M. S. COLBERTSON.

Hon. ANSON BURLINGAME,
Minister Plenipotentiary from the United States to China.

C.

Communication from the Taiping Chief at Chi-kiang.

Ho, civil governor of the province of Chi-kiang, a meritorious officer of the heavenly dynasty, in charge of the soldiers of the imperial palace of nine gates, &c., &c., for renewing of the dynasty, sends this communication to the American troops to say that heaven and earth resolve, the hills and rivers change; such of old is the law of the universe.

For over two hundred years the troops have inflicted injuries upon the whole empire of China, and now the time has arrived to bring it to an end. Imperial heaven is angry and has sent down our true Holy Lord, who has reigned already more than ten years at Nanking and subdued places more than can be pointed out. This assuredly could not have been accomplished by the power of man; it is the decree of heaven. Last year the capital (Nanking) was closely invested. We came out like a flood and took Su-chau, Chang-chau, Tai-cheng, Kwung-shau, Chang-Shuh, Kia-ding, and Kia-hung, in Chi-kiang province. We have also sent forward troops to Shanghai to call back the people who have been away and to enjoin defendant countries to carry on trade as usual. Other (*i.e.*, foreign) countries have not yet entered into definite arrangements for trade; and although the leaders of the army are very strict, it might be difficult to restrain them. Therefore we have not advanced directly upon Shanghai, but have kept at a distance and previously taken Ringhoo and Kiasheu, and have destroyed the troops outside of Kia-ding. We have taken the two Hoo provinces and Kiang-see. We have sent troops to King-Hwa, Shauhing, and Ningpo. Our armies beseiged Hang-chow two months and took it without effort. The southern regions being quiet, the Chung-wong is leading his troops by five roads to take Shanghai. This is only a little corner of a place; how can it give trouble? Having already taken Su-chaw and Chi-kiang, how can we be prevented from taking Shanghai? This is not mere boasting, as you may see from what I have said above. The sea-coast in this region is a place for foreign trade. As we are now sending forward troops, the two parties should make terms of peace. I have therefore thought it best to send you information beforehand. The ground occupied by the troops is not necessary for you. As to the houses of foreign traders, we shall not assuredly molest them. If, however, you should foolishly be intent on gain, then not only this little corner but the whole world shall be ours. You ought not to listen to the imps, but clean your hearts and return to your obedience, and thus you shall not only secure your trade, but promote your own and the public welfare. Consider it speedily; I am now with my soldiers at Kia-ding; quickly return and answer, and do not delay, lest you should afterwards repent. A special communication.

To the land renters, in special meeting assembled:

Gentlemen: In pursuance of our duties as your committee for the consideration of propositions for the defence, draining, lighting, and general improvement of the settlement, we held an early meeting after our appointment on the 3d instant, to ascertain which of these matters pressed for more immediate attention.

We were unanimous in thinking that the question of defence took precedence of the others in the present menacing attitude of the Taipings; and a very little inquiry showed that in this opinion we were supported by the sentiments of the community.

We have therefore taken the responsibility of deferring for the moment the discussion of the improvements proposed, and, concentrating our attention upon the subject of the defences of the settlement, now offer our report upon that alone for your consideration.

In view of the report embracing only one out of the three subjects we were to lay before you, and the need of despatch in our proceedings, we have incurred the further responsibility of requesting her Majesty's consul to call the special meeting within one day of publishing our report, instead of one week, as required by the resolution at the meeting.

After consultation with the military authorities, the committee decided upon the following measures to recommend for your acceptance, and would say that all those relating to defence have been approved by the commanding officer of her Britannic Majesty's forces on shore, Sir James Hope being absent, and reference to him impossible.

We propose—

1. That the lines of defence shall be three: the Barrier road; the Shakloo road; the Boundary creek, carried from the city wall to the Soochow creek.

2. That the defences on the Barrier road shall be barricades of 8-inch Singapore timber, squared and fitted together, set 5 feet in the earth, and seven feet high above, with gates of two valves, 11 feet wide, of 3-inch plank, with 2-inch interstices between the planks, each barricade covered by a pent-house, 10 feet wide, and extending from side to side.

These barricades are to be placed at the opening of each street towards the west as it leaves the Barrier road. The lanes and alleys to be closed by rough gates of Chinese poles.

That these shall be supported by two guard-houses on the Barrier road, in addition to the main guard-house at the church, each equidistant from the main guard and the bunds, for the accommodation of the sentries.

That the whole line shall be flanked by block-houses at either end, one covering the bridge by Smith's market over the Yang-king-pang, the other on the bund of the Soochow creek. These blockhouses to consist of an upper chamber supported on posts, with the space below enclosed by barricades after the manner of the street barricades, with double gates, and forming a small fort when closed.

3. That the line of the Shakloo road shall be opened through to the Soochow creek, by the aid of the Chinese authorities, where the land belongs to Chinese, and under the provisions in the land regulations, where owned by foreigners, compensation being made for the houses, but not for the land, as the owners will be fully repaid by the increased value of that which is left.

That barricades similar to those on the Barrier road shall be erected at the opening of each street towards the west as it leaves the Shakloo road. Any open spaces, or unsubstantial houses, or lanes or alleys, to be closed by rough palisades of Chinese poles.

4. That on the outer line of defence the creek shall be widened from opposite the Ningpo Joss House, at the NW. angle of the city wall, along the whole length, to 50 feet at the top, with sides sloping at an angle of 45 degrees, and the creek be carried through to the Soochow creek in the same line.

That along this line, then extending from the city wall to the Soochow creek, there shall be a bund of 40 feet width, and three drawbridges across the creek at suitable points.

5. That this line shall be fortified by three low towers, 12 feet high on 4-feet foundation, ultimately to be built of hewn stone, placed equidistant between the city wall and the Soochow creek, each tower mounted with one 32-pound shell gun upon a pivot, and traversing in all directions.

But as these will be some time in construction, that three temporary towers of Singapore timber, properly braced and protected, shall be at once erected for use meantime.

6. That a hulk shall be purchased to serve as a magazine for the warlike munitions of the settlement, and anchored in a safe place below the shipping.

7. That as these various means of defence will be of a permanent character, and will need oversight when not in active use, to preserve from decay and injury, that a reserved fund shall be devoted to this purpose and placed in the ——— bank on interest, the income serving to meet the expenses.

The estimated cost of these measures is as follows:

		Tls.
Eighteen barricades in the Barrier and Shakloo roads, 350 tls. each		6,300
Two block-houses—one 3,000, one 2,000		5,000
Opening the Shakloo		10,000
Extra barricades on the Shakloo road		5,000
Making on the inner line		26,300
Three towers of wood—3,000 each	9,000	
Deepening and extending the creek, including purchase of land	10,000	
		19,000
Three drawbridges, 10 feet wide—500 tls		1,500
Three towers of hewn stone, 12 feet high, 30 feet diameter, walls 3 feet thick—5,000 each		15,000
Powder hulk		2,000
Three guns with platforms complete		3,000
Reserve of 20,000 tls. at interest		20,000
		86,800

We think the time required for these defences, excluding the stone towers, would be from four to six weeks.

We recommend these measures of defence for your acceptance with confidence, for they were mainly suggested, and have been again approved, by the military authorities as entirely sufficient for the repulse of any Chinese force, while they are the most economical works for their efficiency which could be constructed. There is nothing wasted in useless strength where it is not wanted.

It is not supposed that any attacking force would penetrate beyond the outer line; and the barricades and blockhouses are mainly to control the native population from the effect of a panic, and to put down with greater ease any internal disorder which might arise in concert with an attacking force.

The settlement would be divided by these two inner lines into three equal sections, each extending longitudinally from creek to creek. The residents in each would be confined within their own section, and the fearful rush of an immense body of panic-struck people be effectually prevented. These lines, it is presumed, would be guarded by the volunteers and police—her Majesty's troops being altogether upon the line of outer defences.

The question of ways and means for these defences has had the earnest attention of the committee. While well aware of the readiness of the community to meet any just demands upon them for the general welfare, as shown lately in the response to the call for subscriptions for the volunteer movement, they were unanimous from the commencement in thinking that this charge should be borne solely by the Chinese.

The imperial government being bound by treaty and by the usages of nations to afford us protection, it strengthens rather than invalidates our claim upon it for these expenses that we have taken upon ourselves the charge which their incapacity abandons to our hands.

It was intimated to us by her Majesty's consul that this claim would be acknowledged by the Taoutai of Shanghai; but at the same time we learned from unquestionable sources that the native merchants and bankers, now congregated in great numbers within the Yang-king-pang, would readily furnish the necessary means if some mode of contribution was suggested. For reasons unnecessary to state here, it is as repugnant to the foreign residents as to the Chinese to allow the Taoutai any influence within the bounds of the foreign settlement, beyond the collection of the dues to his government, and we encouraged the disposition thus evinced. A deputation accordingly met the committee, learned our views, and agreed to call a *consoo* of the principal Chinese in the different departments of trade, that the matter might be properly discussed, and the contribution, if made, justly apportioned.

Some difficulty has been experienced in determining upon this apportionment, and a conclusion has not yet been reached, not because of any indisposition on the part of the Chinese residents to meet the exigency, but through desire that those benefitted should all and equally contribute according to their means.

The committee have not thought it advisable to delay their report in consequence, as they have full confidence that the amount required will be furnished without recourse to the Taoutai.

E. CUNNINGHAM,
JAMES HOGG,
J. P. TATE,
E. WEBB,
Committee.

Mr. E. M. Smith, disagreeing with his colleagues, declines to sign.

SHANGHAI, *January* 13, 1862.

The committee think it desirable that this report should be kept private for the present.

Mr. Seward to Mr. Burlingame.

No. 8.]

DEPARTMENT OF STATE,
Washington, March 6, 1862.

SIR: Your despatch of December 24th, No. 6, has been received. It gives us an account of the capture and occupation of the city of Ningpo by rebels, and of the proceedings adopted on that occasion by the American consul there in concert with the British and French representatives.

No one here could draw any inference of the condition of things at Ningpo now, from even the fullest information of what it was so long ago. Revolutions are apt to effect sudden and even great changes in very short periods. In such a case you ought not to be trammelled with arbitrary instructions, especially in view of the peculiar character and habits of the Chinese people and government. In a different case the President would certainly instruct you to refrain most carefully from adopting any means which might disturb the confidence of the imperial government or give it any cause of solicitude, even though it might seem to be required for the safety of the property and interests of American citizens. But how can we know here what ability the imperial government may have, or even what disposition, to extend the protection to foreigners which it had stipulated? Nevertheless I think that it is your duty to act in the spirit which governs us in our intercourse with all friendly nations, and especially to lend no aid, encouragement, or countenance to sedition or rebellion against the imperial authority. This direction, however, must not be followed so far as to put in jeopardy the lives or property of American citizens in China. Great Britain and France are not only represented in China by diplomatic agents, but their agents are supported by land and naval forces, while, unfortunately, you are not. The interests of this country in China, so far as I understand them, are identical with those of the two other nations I have mentioned. There is no reason to doubt that the British and French ministers are acting in such a manner as will best promote the interests of all the western nations. You are therefore instructed to consult and cö-operate with them, unless, in special cases, there shall be very satisfactory reasons for separating from them, and in every aspect of affairs you will keep me well advised. Our domestic affairs are improving very rapidly, and I trust we shall soon be able to send a war steamer to your support.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ANSON BURLINGAME, Esq., *&c., &c., &c.*

Mr. Burlingame to Mr. Seward.

No. 12.]

SHANGHAI, *March* 22, 1862.

SIR: I have the honor to inform you that receiving notice last month from Messrs. Olyphant & Co., depositaries of claims at Hong Kong, that there was a sufficient sum in their hands to pay all that was due on the awards made by the commissioners of claims, I directed Mr. Williams to superintend the payment of same to the claimants. This he did to the amount of $37,176 15, leaving a balance in the hands of the depositaries of $5,471 93. The entire amount of the awards was $489,694 78, which has been rateably paid to the claimants, in five instalments, within less than two years.

As to the disposition of the balance in hand, with that yet to be derived from the Chinese government through customs received at the port of Canton alone, probably within two or three years, I will take the liberty in an early despatch of making such suggestions as shall occur to me.

The rebellion still rages, but as yet it has made no direct assault upon Shanghai. Since the 2d of February, six battles have been fought within thirty miles of this place, with great loss to the rebels. This is the order in which they occurred: Yankin-dong, Tai-mosan, Kon-jon, Seo-dong, Suk-kein, and Chukkein. At Kon-jon the English and French participated, acting as a reserve to Colonel Ward. They were commanded by Admirals Hope and Protet. Chukkein was fought by her Majesty's gunboat Flamer. Without giving you all the details of these battles, I will write, in general terms, that while there were not more than twelve hundred men at any one time on the side of the imperialists, there were said to be from five to twenty thousand men on the side of the rebels; and while the rebels are superior to the imperial soldiers in this part of the empire, and nearly always beat them when the imperialists are led by native officers, they are unequal to the Chinese trained and led by Europeans or Americans. They were beaten in every battle with great slaughter.

Admiral Hope informs me that he was astonished at the courage of the Chinese, led by Colonel Ward at Kon-jon. It is thought by many that they are superior to the sepoys, and that they, when properly instructed, will not only be capable of defending themselves, but equal to aggressive war. I send you a copy of a communication, marked A, received from Sieh, lieutenant governor of the province of Kiang-see, informing me that the imperialists propose to attack Ning-po, now in the hands of the rebels, and requesting me to give notice to my countrymen, so that they may avoid the "flying balls," and find means of escape, lest "pearls and stones" may be destroyed together. I am happy to call your attention to another communication from Sieh, containing the gratifying information that the Emperor, on the 21st of the first moon, (February 19,) gave his consent that the ports of Tung-chow and New-chang should be open for the export of beans and bean-cakes. The trade in these is very large and important to our shipping interests, and by the 5th article of the supplementary treaty was not permitted to foreigners.

I have appointed Franklin B. Forbes acting consul at Tein-Tsin. This nearly completes the appointments necessary for the conducting of our business at the treaty ports. I have taken great care to recommend no one to the government who was not strongly recommended and thought to be worthy of the place for which he was selected. It is quite difficult to get men without pay to take those places, and yet our increasing trade renders it highly important that we should have consuls at all the treaty ports, and that these should not be mere adventurers.

I have the honor to be, sir, your obedient servant,

A. BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State.

A.

Sieh, lieutenant governor of the province of Kiang-see, hereby begs to inform your excellency that he has received a despatch from his government, through the minister of foreign affairs, in reference to the occupation of Ningpo, in the province of Cheh Kiang, by robbers; and I am ordered at once to raise troops for the purpose of hemming them in and destroying them. This renders necessary for the foreign merchants, resident at Ningpo, to remove to a distance in order to secure their own safety. A communication has been addressed to the representative of England requesting him to give instructions to the English consul at Ningpo to take necessary measures to secure this object.

I am also instructed to furnish your excellency with a copy of that communication, that you also may take such measures as are necessary on this account.

Ningpo being in the hands of the robbers, it is necessary that the imperial armies should immediately take means for their destruction. Merchants and others of your honorable countrymen residing there should act in accordance with the suggestion of the Chinese minister of foreign affairs, in the communication referred to, and remove, at once, to a distance, in order that they may secure their own safety. I therefore enclose herewith a copy of the communication to the English minister, in order that your excellency may issue such instructions as you may think proper to the consul at Ningpo, so that the American residents there may remove to a distance.

I shall be glad to receive an early reply.

SHANGHAI, *March* 3, 1862.

Communication from the minister of foreign affairs to the British minister.

The minister of foreign affairs would inform the English minister that information has been received of the occupation of the city of Ningpo by robbers. It may be difficult to prevent them from extending their power and collecting vessels so as to obtain possession of other ports on the sea-coast. It will therefore be necessary to guard with the greatest vigilance the ports in the vicinity of Ningpo, and the officers in command of the imperial troops are to collect their forces and station them in such places as may be necessary to repel the robbers.

The vessels of foreign countries therefore cannot enter and depart. Ningpo being already in the hands of the robbers, it is all the more necessary to exterminate them; therefore military officers cannot but endeavor to accomplish it to the utmost of their power.

It is therefore inconvenient, on many accounts, for vessels of your honorable country to frequent this port. Hereafter, if our soldiers should come together in clouds and engage the robbers, there would be great danger of these vessels being injured by the flying balls. If notice should be given beforehand of the approach of an attacking force, it might come to the knowledge of the robbers and put them on their guard against it. Should I not give previous notice to the merchants, then the vessels might not at the time of the attack be able to find means of escape, so that pearls and stones might be burnt up together, *i. e.* good and [bad] men be alike destroyed. The merchants have brought their property from a great distance. Would it not be lamentable if they should be involved in such calamity? Out of regard for the interests of the merchants I make this communication to your excellency, in order that you may communicate with the consul, and take such measures as you deem proper to enable the merchants to escape to a distance in good time.

I should be glad of an early reply.

B.

Sieh, lieutenant governor of the province of Kiangsu, has received a communication from the minister of foreign affairs to the following effect:

According to the fifth article of the treaty foreign vessels are not permitted to load at the ports of Tung-chow and New-chang with beans and bean-cakes;

the object of the prohibition being to protect the native trader from, and prevent a deficiency of food in, those districts. It appears, however, that the number of foreign vessels frequenting those ports is very great; they bring foreign goods, and as those districts can give nothing in exchange but the beans and bean-cakes, the exportation of which is prohibited, those vessels are, for the most part, obliged to leave without any return cargo. But considering that we have been long at peace with foreign nations, if the prohibition in respect to the beans and bean-cakes at the above-mentioned places be removed, the native traders will not be embarrassed, and foreign vessels will be much benefited, a memorial therefore was presented to the Emperor to permit foreign vessels to export beans and bean-cakes from the ports of Tung-chow and New-chang, and on the 21st of the 1st moon (February 19) he gave his consent.

It has been determined, in reference to this article, that an export duty is to be paid in full when the vessel receives her cargo. On entering another port an import duty of half the amount of the former is to be paid. If, after this, the merchant wishes to re-export it by sea, it is to be placed on the same footing with other articles exported to foreign countries, and the custom-house of the port will give a drawback chop as evidence that the duty has already been paid. Further, according to the regulations already determined upon, goods which have paid the half export duty at the port of shipment, and also the half import duty at the port of entry, if they are afterwards taken into the interior, either by foreign or native merchants, shall be liable, in addition, to the usual duty at each custom-house, and also to a further tax of *one per cent.* at each custom-house station. The same rule shall be observed with respect to beans.

Having received the above communication, I at once inform your excellency, that you may communicate the fact to the consuls at the several ports, that they may give notice that hereafter foreign vessels are permitted to export beans and bean-cakes from the ports of Tung-chow and New-chang.

MARCH 16, 1862.

Mr. Seward to Mr. Burlingame.

No. 9.]

DEPARTMENT OF STATE,
Washington, April 2, 1862.

SIR: Your despatch of January 23 (No. 8) has been received.

It would seem, from the statement it contains, that the rebellion in China has gathered dimensions not foreseen or apprehended even by the western powers which have land and naval forces there.

The President is deeply concerned for the safety of our citizens and their interests at Ningpo and Shanghai. He authorizes me to approve of your proceedings at those places, so far as they have become known here. It is a painful reflection that we are unable to direct sufficient land and naval forces to the Chinese waters to command respect for our flag. The task, however, of speedily suppressing the insurrection existing in the southern States is, at present, our most urgent one. Happily our prospects improve every day. Meantime you will persevere in the policy you have hitherto pursued, and the exigencies in China will not be overlooked.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ANSON BURLINGAME, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burlingame.

No. 11.]
DEPARTMENT OF STATE,
Washington, April 22, 1862.

SIR: Your despatch of February 7 has been received.

The solicitude you have suffered, and which was so honorable to your loyalty and patriotism, will have been relieved before this time by information that we have greatly reduced, if not altogether averted, the danger of foreign war, and have, at the same time, obtained a very fair prospect of early domestic peace. In view of civil war raging in Greece and in China, and of rising commotions in Italy, Hungary, and Germany, we may reasonably hope that Europe will become less severe and censorious in regard to the unhappy demonstrations of faction in our heretofore tranquil and united country.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ANSON BURLINGAME, Esq., *&c., &c., &c.*

Mr. Burlingame to Mr. Seward.

No. 16.]
LEGATION OF THE UNITED STATES,
Shanghai, May 19, 1862.

SIR: Referring to my despatch of March 21, (No. 12,) in which I stated the payment of the balances due the various claimants to the amount of $37,176 15, by the hands of Dr. Williams, and that there remained in the hands of the depositary the sum of $5,471 93 to the credit of the United States government, I have now the honor to inform you that the balance which has since accrued from the debentures at Canton and Fuhchau has been deposited by the depositary in one or two of the banks at Hong Kong, by my direction, where it will draw a moderate interest. It is supposed that the remainder will not be received in less than two years, and, I think, is more likely to require three, as nearly all of it is to be derived from the port of Canton alone. There are some advantages connected with its investment here, as it accrues, and when the whole sum is available, it can be moved at once with no more trouble than the several instalments would each require. I beg to bring to your notice the depositary of claims, Messrs. Olyphant & Co., in order to express my satisfaction at the manner in which they have co-operated in every part of the details connected with the payments of the amounts.

In respect to the final disposition of this balance I beg leave to make a few observations, which are prompted by the reference to the subject in the President's annual message. I infer, from that allusion, that any further demands for compensation on the part of claimants whose awards were less than their estimates of losses, or whose claims were rejected, will not be entertained, but that the decisions of the board of commissioners in January, 1860, as approved by the United States minister, will be regarded as final. I have reasons for the remark that I think strong efforts will be made to revise those decisions.

In November, 1860, Dr. Williams was at Washington, and brought this matter to the notice of Mr. Cass in a short paper presented to him, which was further verbally explained to Mr. Trescot, and which is doubtless on file in the department. In it the suggestion was made to devote the balance to the benefit of both the Americans and the Chinese, by founding an institution in China at which the language and literature of each could be taught to pupils selected from each. If we examine the circumstances attending the negotiations respecting the claims, I think we shall find that the arrangement made at Tien Tsin, in June, 1858, with Kweiliang, and confirmed by the convention at Shanghai, was under the belief that the sum of 500,000 taels would cover all actual losses of our citizens, and leave little or nothing over. The subtraction of 100,000 taels from the demand at Tien Tsin was made after obtaining such additional data as warranted it, in order to apportion the receipts from the debentures to the expected claims. If you will refer to the schedule of claims given in Mr. Reed's despatch of November 10, 1858, (No. 37, Inc. 3, Senate Ex. Doc. No. 30, pp. 520 to 528,) you will see that great pains were taken by him to ascertain the exact amount, and it was incurring some responsibility to reduce the first demand by one-sixth, when the whole subject was so vaguely ascertained. However, the Chinese commissioners put trust in the statements made to them, and signed the convention of November 8, 1858, as a receipt in full, so to speak, of all liabilities of the imperial government for losses incurred by American citizens. I also refer to a remark in Mr. Reed's despatch (page 522) that it was, at one time, proposed to them that any excess received beyond the claims and interest should be refunded, but they preferred to waive all claims upon any balance that might remain.

I have referred to these initiatory details in order to illustrate the position of this claim-money, and to fortify the proposal made by Dr. Williams above referred to. Its application is undoubtedly under the control of the United States; and no one would, I should think, propose any other use of the balance (the adjudicated claims being paid) than in some manner connected with China. Both the applications referred to in the message have this direction. A literary institution, where young men from America can be educated in the Chinese language, would prepare a corps of interpreters from whom the President might select suitable assistants in the consulates and legations. The necessity for doing something to place our consulates in a more respectable position in this respect is continually increasing, and the disabilities incurred in the public service through their inadequacy in this line numerous. The English, French, Russian, Dutch, and Spanish consulates are all supplied with trained interpreters; but only three of the American consulates have authorized interpreters; many of the consuls are compelled to request the aid of missionaries in their interviews or correspondence with Chinese officials, or depend on natives whose acquaintance with English is imperfect. In a country where we claim the rights of exterritoriality, it is highly desirable that we should be able intelligently to decide all cases in the consular courts between our countrymen and the natives, and this requires competent knowledge of both languages. An institution like that here proposed could provide pupils for government selection, or else give the preference to Americans who wished to prepare themselves by study for such positions.

But I am disposed to urge the adoption of this proposal more with a reference to the benefit such a college would be to the Chinese than to ourselves. We are better able to judge of their need of such a place for training young men of promise in the languages, science, and ethics of western lands than they are themselves; for the highest dignitaries of the land are quite ignorant of all those subjects. Heretofore they have lived in such seclusion that they have had no opportunity of knowing much about them; the while, too, enveloped in such an atmosphere of conceit that they have had no desire to dissipate their ignorance; but now the approach of foreign nations to the capital, and the location of their representatives within its precincts, have startled them from their *nonchalance*. But they are little fitted for appreciating their own position, much less for learning the designs of foreigners. They have small knowledge of their own duties and rights, or of those of their visitors, and present at this moment a singular and melancholy spectacle of the rulers of a great nation drifting along in pitiable ignorance of their own responsibilities.

I regard it as a favorable circumstance that the four nations who have recently formed treaties with China are agreed in the hope that the present dynasty will be able to maintain its authority, and there are many encouragements at present to assist the leading statesmen in the empire in entering the new path before them. I believe that the American people will continue to exert an increasing influence upon this; and the establishment of a college at Peking, with a few philanthropic, well-educated, earnest-minded instructors in charge of it, would tend to exert a lasting and excellent influence at the seat of the government in support of peace and commerce throughout all the provinces The schools which have already been established by missionaries in various places prove the feasibility of such educational efforts, and encourage the formation of a higher institution. If it promote sound morals, as well as accurate knowledge, the highest purposes of its establishment will be attained.

When I consider the benefits that are likely in a course of years to result from a well-ordered institution of this sort—one like the colleges of our own country—where the youth of America and China can be brought into contact and mutual appreciation, I can but deem this proposal to be worth your consideration and even approval. In equity the balance appears to belong to the Chinese, but they have no voice in its disposal. If set apart to the payment of subsequent claims as they arise, will they then have any control as to what claims shall be taken from it, or is it intended to pay chiefly those claims which they decline to admit, but which the United States government regard as just? These questions have occurred to me, and others, too, as to the policy of laying up a surplus at all to the credit of a government like this. It has yet no settled policy in its foreign relations, but is beginning to learn what they are, as exhibited by foreign representatives, and shaping it more in conformity to western usages. The events which have given rise in former times to reclamations for indemnity from the Chinese have, for the most part, been owing to the acts of other nations, in which our citizens were involved from their contiguity of residence or business. But when, through the perversity of an official, or the license of a mob, losses occur or life is endangered, is not the moral effect among such a people as this greater if we associate the penalty with the offence, and connect the safety of our citizens with the punishment of their aggressors? If indemnity be demanded of the Chinese government, but actually taken from a fund it knows nothing of, and allowing the wrong-doers really to go free, it will place our authorities here in rather an anomalous position, and the minister to China would find great difficulty in satisfactorily explaining the matter to the leading officers at court. They would probably hear, too, of a surplus to their credit, and inquire about it, or draw upon it in some unexpected way that would be embarrassing. So far as I am able to judge of the bearings of the case, it would be preferable to return the whole to them, or distribute the money, as it accrues, to the disappointed claimants and those Chinese in the employ of our citizens who suffered severe losses in consequence of their connexion with them, than to lay it aside for future contingencies to settle with a government like the Chinese.

I think that the probabilities of untoward acts on the part of officials are greatly lessened in time to come by the residence of foreign ministers at Peking, who can there explain cases as they occur, demand reparation, if necessary, and point out modes of action. Since the convention of November, 1858, one case has occurred where Americans and others suffered injury at the hands of a mob at Shanghai, and the local authorities made restitution at the request of the consuls and paid the damages. Chinese statesmen will, it is hoped, more and more feel that peace is their best policy, and endeavor to maintain it.

Unless we are willing to yield our national dignity in the eyes of these

Asiatic nations, we must be prepared to maintain and enforce our rights, and do so at the time they are infringed. But, when we have obtained satisfaction for a wrong from the officials, to fall back upon a reserve from which to pay the money agreed to be justly due as an indemnity would neutralize the whole effect of the demand for reparation. They might even be prompted to wrongdoing by their knowledge of such a fund, referring our consuls and ministers to it to repay the sufferers as much as they pleased.

By devoting it to some general and benevolent purpose like that here recommended the money is removed from the hopes and schemes of speculators or future sufferers, and from the care of our government or its representatives in China, neither of whom would desire to involve themselves in its responsibilities. The sum of $210,000 would not go far to repay losses incurred by a catastrophe like that of December, 1856, at Canton; but it is enough, if properly managed, to begin an institution, and may serve as a model for others to be undertaken by the people.

I have the honor to remain, yours, obediently,

ANSON BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Burlingame.

No. 14.]

DEPARTMENT OF STATE,
Washington, May 29, 1862.

SIR: Your despatch of the 22d of March has been received.

Your appointment of Franklin B. Forbes to be consul at Tien-Tsin will be confirmed.

Your proceedings in paying the awards made under our treaty with the Emperor of China are approved. We wait your suggestions concerning a proper disposition of the surplus of the fund.

You will express the President's acknowledgments to the Emperor for the seasonable and friendly notice which was given to you by his order concerning his Majesty's intended demonstrations for the reconquest of Ningpo, then occupied by the rebels.

Also, like acknowledgments for the new facilities extended to trade in the ports of Tung-Chow and New-Chang.

Your account of the operations of the government against the insurgents and the martial disposition of the Chinese are very interesting, as your speculations concerning that war, its cause and its course always are.

It is gratifying to know that the impression concerning this country resting on the national mind of China is so favorable.

The progress of the national arms by land and water in restoring the authority of the Union, although attended by occasional reverses, is, nevertheless, on the whole, entirely satisfactory, and we are already looking forward to a time when we can improve our communications with the East, and claim a due share of its commerce, which, surviving dynasties and empires, not only in Europe but in Asia, continues, as in former ages, to be a chief fertilizer on both continents.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ANSON BURLINGAME, Esq., *&c., &c., &c.*

Mr. Burlingame to Mr. Seward

No. 22.] LEGATION OF THE UNITED STATES,
Peking, July 24, 1862.

SIR: I have the honor to inform you that I arrived at this place on the 20th of July. The journey was tedious, but still accomplished without serious inconvenience. The foreign and Chinese officials offered me every facility for my progress. At Tien-Tsin I had a pleasant interview with Tsung How, commissioner of trade. From Tien-Tsin I came by the river Peiho as far as Tung-chau by boat, and from there—twelve miles—in a chair which had been kindly sent by Count Kleczkowski, chargé d'affaires of the French.

The commissioner of trade sent with me a high mandarin and a guard. The mandarin was compelled to return because of a severe attack of cholera, a disease which is now raging throughout this region.

The hospitality of the foreign legations was kindly tendered me. I accepted that of the French, as it was the first proffered.

On my arrival at Tien-Tsin I addressed a letter, marked A, to Mr. Bruce, the British minister; also a letter to Prince Kung, marked B. To these letters I received replies, copies of which I send, marked C and D. I send, also, a letter marked E, which I addressed to Vice Admiral Sir James Hope, before I left Shanghai. On my arrival at Peking I addressed a note, marked F, to Prince Kung, to which he replied that his father-in-law, Kweiliang, had just died, but that in a few days he would be pleased to have an interview. Two of the members of the foreign office called and expressed their delight at my arrival, and at the same time presented the misfortunes of Prince Kung. I find that a great change has taken place in the disposition of the Chinese since my predecessor found such trouble in Peking.

I have in my suite Dr. S. Wells Williams, interpreter, B. Wistar Fellowes, private secretary, and the Rev. J. S. I. Schereschewki, who will establish the first American mission in Peking.

I have the honor to be your obedient servant,

ANSON BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State.

A.

TIEN-TSIN, *July* 10, 1862.

SIR: I have the honor to inform your excellency of my arrival at this place, and that I propose to depart for Peking, by way of Tung-Chow, on Monday next.

I forwarded to you a letter from Vice-Admiral Sir James Hope immediately upon my arrival, but without any explanatory letter, save a hasty note, written while your courier waited, to Count Kleczkowski.

The uniform kindness I have received from her Majesty's officials since my arrival in China demands from me an acknowledgment, and makes it my pleasant duty to put myself into confidential relations with her chief representative. To this end I am happy to inform you that my co-operation with Sir James at Ningpo and Shanghai—of which, doubtless, you are advised—has received the hearty approval of my government, and the following language from the Secretary of State has been given me as a guide for the future: "The interests of this country, (United States,) so far as I understand them, are identical with those of the two other nations (England and France) I have mentioned.

"There is no reason to doubt that British and French ministers are acting in such a manner as will promote the interests of all the western nations. You are therefore instructed to consult and co-operate with them, unless in special cases there shall be very satisfactory reasons for separating from them."

In the full spirit of these instructions I propose cordially to meet your excellency, and to "consult and co-operate" for the common good of our respective nations.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

Hon. F. W. A. Bruce, C. B.,
Her Britannic Majesty's Envoy, &c., &c., &c.

B.

Legation of the United States,
Tien-Tsin, July 9, 1862.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States to China, has the honor to inform his highness, Prince Kung, that on the 29th day of May last he sent him a despatch, intimating his intention to proceed on to the capital in order to deliver the letter from the President with which he is charged; and though he has not yet learned that that despatch has been received, he has now further to communicate his arrival at Tien-Tsin, and that as soon as preparations are made he will proceed on his way to Peking. This note is now forwarded in advance, in order to make known to his highness that he has come to this place.

ANSON BURLINGAME.

His Imperial Highness Prince Kung.

C.

Peking, *July* 14, 1862.

Sir: I have honor to acknowledge the receipt of your excellency's despatch, dated Tien-Tsin, July 10th, with the letter of Sir J. Hope, which you were good enough to transmit to me by previous occasion.

It is with much pleasure that I learn your approaching arrival, as it will be most satisfactory to me to have the benefit of your counsels in endeavoring to provide for the security of foreign interests and trade amid the serious complications presented by the existing condition of China.

I am glad to hear that Sir J. Hope, and those of her Majesty's officials who have been in communication with your excellency, have met you in the cordial spirit which it is the wish of her Majesty's government should animate its agents in China towards the representative of the United States.

Count Kleczkowski informed me that he had offered you the hospitality of the French legation until your arrangements are made. I need not say that the British legation is placed most willingly at your disposal.

I have the honor to be, sir, your obedient servant,

FREDERICK W. A. BRUCE.

A. Burlingame, *&c., &c., &c.*

D.

Kung, a prince of the imperial house, and secretary of the affairs of foreign nations, herewith replies:

I had the honor to acknowledge the receipt of your excellency's previous despatch, in which you expressed the cordial sentiments you feel as being those which exhibit the amicable relations now existing between our countries; and have now the honor of again replying to a despatch just at hand, in which you inform me of your arrival at Tien-Tsin, and that you intend soon to start for the capital.

The intention of your excellency's present visit to Peking is to make known the friendly feelings which exist towards this country, that the subjects of both may thereby feel that they should act in the same spirit; and henceforth these amicable relations will be strengthened, and the merchants and citizens of both countries receive increased benefit.

It is for this purpose that I write this reply.

His Excellency Anson Burlingame,
Envoy Extraordinary, &c., &c., U. S. A.

July 14, 1862, Tungché, 1st year, 6th moon, 18th day.

The above was received at Ma-tan, on the Peiho, and a note sent back by the courier, acknowledging its receipt, on the 17th of July.

E.

Legation of the United States,
Shanghai, June 30, 1862.

Sir: I cannot proceed to Peking without thanking you most sincerely, not only for your many acts of kindness to me personally, but for the protection you have never failed to extend to my countrymen during the exciting period through which we have passed.

As soon as I arrived at Shanghai you did me the honor to call upon me and, with a delicacy I cannot forget, you made reference to the disturbed state of my country, and generously suggested that your force was, for purposes of protection, at my disposal, and not only stated it, but kindly addressed a letter to me to the same effect, in which you gave a proffer of the same protection to my countrymen as to your own.

You have more than redeemed your promises. In as far as I co-operated with you at Ningpo and Shanghai, I am happy to inform you that I have received the hearty approval of my government, which has instructed me to follow the line of policy hitherto pursued by me, and, as the western powers have a common interest in China, to consult and co-operate with them in the line of policy to be pursued in the future.

I hope your own desires and the commands of her Majesty's government may continue you in China; that the vigorous policy pursued by you may have its fruition in the establishment of order and immunity from a rebellion which, in its present form, can have no defenders among those who wish well to the human race.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

Vice-Admiral Sir James Hope.

F.

Note sent to His Imperial Highness Prince Kung, July 22, 1862.

I arrived at the capital on the 20th instant, and am at present temporarily stopping at the legation of France. When the various duties incident on arrival are attended to, it will be proper to present the President's letter to his Majesty. At your highness's leisure, please appoint a day when I can in person assure you of my sincere regard; and, meanwhile, I avail myself of this opportunity to respectfully wish you the enjoyment of every happiness.

ANSON BURLINGAME.

Mr. Seward to Mr. Burlingame.

No. 15.]

Department of State,
Washington, August 1, 1862.

Sir: I have to acknowledge the receipt of your despatches to No. 14, inclusive. Your interesting despatch (No. 16) of the 19th of May last has also been received. The suggestions therein contained, touching the disposition of the surplus remaining after satisfying the claims of American citizens against China, will be made known to Congress at the commencement of the next session.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Anson Burlingame, Esq., *&c., &c., &c.*

ROME.

Mr. Seward to Mr. Blatchford.

No. 2.] DEPARTMENT OF STATE,
Washington, September 25, 1862.

SIR: This government has not now, it seldom has had, any special transaction, either commercial or political, to engage the attention of a minister at Rome. Indeed, until a very late period the United States were without any representation at that ancient and interesting capital. The first colonists in this country were chiefly Protestants, who not merely recognized no ecclesiastical authority of the Pope, but were very jealous lest he might exert some ecclesiastical influence here which would be followed by an assumption of political power unfavorable to freedom and self-government on this continent. It was not seen that the political power of the Catholic church was a purely foreign affair, constituting an important part of the political system of the European continent. The opening of our country as an asylum to men of all religions, as well as of all races, and an extension of the trade of the Union, in a short time brought with them large masses of the faithful members of that church of various birth and derivation, and these masses are continually augmenting. Our country has not been slow to learn that while religion is with these masses, as it is with others, a matter of conscience, and while the spiritual authority of the head of their church is a cardinal article of their faith, which must be tolerated on the soundest principles of civil liberty, yet that this faith in no degree necessarily interferes with the equal rights of the citizen, or affects unfavorably his loyalty to the republic. It is believed that ever since the tide of emigration set in upon this continent the head of the Roman church and states has freely recognized and favored the development of this principle of political freedom on the part of the Catholics in this country, while he has never lost an opportunity to express his satisfaction with the growth, prosperity and progress of the American people. It was under these circumstances that this government, in 1848, wisely determined that while it maintained representatives in the capitals of every other civilized state, and even at the capitals of many semi-civilized states which reject the whole Christian religion, it was neither wise nor necessary to exclude Rome from the circle of our diplomatic intercourse. Thus far the new relation then established has proved pleasant and beneficent.

Just now Rome is the seat of profound ecclesiastical and political anxieties, which, more or less, affect all the nations of Europe. The Holy Father claims immunity for the temporal power he exercises, as a right incident to an ecclesiastical authority which is generally respected by the European states.

On the other hand, some of those states, with large masses in other states, assert that this temporal power is without any religious sanction, is unnecessary and pernicious. I have stated the question merely for the purpose of enabling myself to give you the President's views of what will be your duty with regard to it. That duty is to forbear altogether from taking any part in the controversy. The reasons for this forbearance are three: First, that so far as spiritual or ecclesiastical matters enter into the question they are beyond your province, for you are a political representative only. Second, so far as it is a question affecting the Roman States it is a domestic one, and we are a foreign nation. Third, so far as it is a political question merely, it is at the same time purely an European one, and you are an American minister, bound to avoid all entangling connexion with the politics of that continent.

This line of conduct will nevertheless allow you to express, and you are therefore instructed to express, to His Holiness the assurances of the best wishes of the government and of the people of the United States for his health and happiness, and for the safety and prosperity and happiness of the Roman people. And you will further assure him that the United States constantly preserves a lively remembrance of the many generous and liberal manifestations they have received of his good will and friendship, and that he may confidently rely upon them for the practice of all the duties which grow out of the relations of the two countries as independent members of the family of nations.

You will find Rome a resort and temporary residence of intellectual persons from all parts of the world. Among them are many who, in various degrees, exercise an influence upon the opinions, and, perhaps in some cases, upon the policies of nations. It will be a pleasing duty for you at this moment, when our unhappy domestic conflict is a subject of universal discussion, to vindicate the justice, the wisdom, and the moderation of the government and loyal people of the United States against those who, from interest, prejudice, or passion, are directing their efforts to the overthrow of a republic which, we must continue to think, still holds in its keeping the best hopes of the human race.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

RICHARD M. BLATCHFORD, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Blatchford.

No. 3.]

DEPARTMENT OF STATE,
Washington, October 13, 1862.

SIR: A despatch which bears the date of September 16 has been received from our consul, Mr. Stillman, who, for some time has been performing the duties of the legation at Rome.

The President learns, with much satisfaction, from that paper that the interruptions of the public peace have ceased, and that tranquility prevails at that capital.

The conversation with Cardinal Antonelli, which Mr. Stillman reports, is full of interest. The good wishes expressed by that statesman are such as this government expected from him, and his convictions that in rejecting all ideas of concession or compromise with our domestic enemies this government is pursuing its proper and necessary policy are as creditable to his Eminence as they are gratifying to the United States.

The military situation of the country has much improved within the few days which have elapsed since your departure, and the public mind has become more tranquil and confident of ultimate success.

I am your obedient servant,

WILLIAM H. SEWARD.

RICHARD M. BLATCHFORD, Esq., *&c.*, *&c.*, *&c.*, *Rome.*

EGYPT.

Mr. Thayer to Mr. Seward.

No 10.]

UNITED STATES CONSULATE GENERAL,
Alexandria, November 13, 1861.

SIR: I have the honor to announce that the viceroy of Egypt has again shown his good will to the United States, by directing the captain of the port of Alexandria to exclude all vessels bearing an unrecognized flag from the harbors of Egypt. Instructions to this effect, I am informed by the minister of foreign affairs, were issued about two weeks ago, in consequence of a suggestion addressed to his highness by this consulate general. At an interview which I had with him on the 3d instant, at Cairo, his highness also assured me that no privateer in the service of the domestic enemies of the United States will be allowed to be fitted out, or to bring its prizes in any port of his dominions.

The following passages, translated from a note sent to me by his excellency Nubar Bey, in behalf of the viceroy, show that in the facilities for obtaining Egyptian cotton our manufacturers are placed on an equal footing with those of Great Britain. The note is dated October 18th, and is in reply to some interrogatories which I had verbally made to the secretary.

"MONSIEUR LE CONSUL GÉNÉRAL: I have had the honor to report to his highness, conformably to your desire, what you have said to me on the subject of the words addressed by his highness to the deputation of the Manchester Association for the Extension of the Culture of Cotton.

"His highness has charged me to inform you, Monsieur, that what he has said for any association which may be formed in England, for the above mentioned purpose, he says equally to any which your countrymen may organize."

At the interview to which I have referred the viceroy repeated this assurance in person to me, saying that he had never intended to exclude my compatriots from an equal share in the privileges accorded to the capitalists of Great Britain.

I may add that at the same interview his highness manifested the liveliest interest in our national affairs, the journals, as he said, being filled with nothing else.

He seemed to appreciate the difference in resources between the government and its enemies, and had no doubt that the government, sustained as it was by so large a majority of the people, would successfully quell the insurrection, though, in consequence of the extent of our southern territory, the contest might be protracted, His highness approved the large scale of our military preparations, saying that the only policy was to push the war, once begun, vigorously to the end, and that half-way measures were as bad in war as in anything else.

The viceroy, who is the son of the celebrated Mehemet Ali, may speak with hereditary authority on questions of this kind. It was very plain, from the tone of his remarks, that our government has lost none of its prestige in his estimation.

A significant piece of news here is that the receipt of intelligence that a squadron had been sent, by the authorities at Washington, to open the southern ports caused cotton to fall in one day from twenty-five dollars to twenty-one dollars a cantar, (hundred weight.) Twenty-five dollars a cantar is the highest price ever known in Egypt. Prior to this time, the highest figure was twenty-three dollars, the result of the Crimean war. The price is now about eighteen or nineteen dollars the cantar.

The Englishmen have begun to make advances to fellahs on the security of their coming cotton crops, in accordance with the concessions of the viceroy.

I have the honor to be, sir, your obedient servant,

WM. S. THAYER.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

Mr. Thayer to Mr. Seward.

No. 12.]

UNITED STATES CONSULATE GENERAL,
Alexandria, November 26, 1861.

SIR: I have the honor to acknowledge the receipt of the despatch of October 9, (No. 4,) in which you are pleased to testify the government's approbation of my proceedings for the punishment of the outrage inflicted by the mob of Osint on an agent of the American missionaries here.

I have also the honor to send herewith the reply of Mohammed Said, viceroy of Egypt, to the letter of the President of the United States, accompanying your despatch of October 9, as well as the letter of the viceroy's minister of foreign affairs, on the subject of excluding privateers from the harbors of Egypt. It will be seen that the viceroy's order of exclusion applies expressly not to all privateers, but only to privateers and vessels bearing an unrecognized flag, so that our domestic enemies are thus deprived of those belligerent rights which are very properly accorded to ourselves. The government of his highness is too friendly to the United States to affect not to know the difference in the *status* of the two contending parties in our civil contest. Copies of the letters of the viceroy and of his minister (marked A and B) are appended to this despatch.

* * * * * * *

I have the honor to be, sir, very respectfully, your obedient servant,

WM. S. THAYER.

Hon. W. H. SEWARD,
Secretary of State, Washington, D. C.

A.

HONORABLE SIR AND FRIEND: Mr. Thayer, consul general of the United States at Alexandria, has presented me the letter you were pleased to write me expressing your feelings of satisfaction for the punishment which I have inflicted on some individuals guilty of evil and cruel treatment towards an agent of certain Christian missionaries in Upper Egypt.

Mr. Thayer, who, I am happy to say, entertains with me the most friendly relations, had already expressed to me the feelings of your government.

In this case, honorable sir and friend, I have only executed the rule which I have always endeavored to follow in protecting in an equal way, and without consideration of creed, all those who, either by inclination or for the fulfilment of a duty, sojourn in the country submitted to my administration.

I am profoundly sensible of the friendly manner in which you express your sentiments both to myself and to my government, and I pray you, honorable sir and friend, to accept with this offering of my thanks my sincere wishes for the success, perpetuity, and integrity of the American Union, which, I hope, under your able presidency, will soon see an end of the trials with which the Almighty has been pleased to afflict it.

Your most devoted friend,

MOHAMMED SAID.

Hon. ABRAHAM LINCOLN,
President of the United States of America.

[Translation.]

ALEXANDRIA, *November* 21, 1861.

MONSIEUR LE CONSUL GÉNÉRAL: In addition to my private letter in reply to your communication of the 19th of October last, respecting the foreign vessels which may present themselves in the neighborhood of Alexandria under an unrecognized flag, I have the honor to inform you that the order of his highness the viceroy is that the captain of the port of this city shall notify them to remain outside of the said port until he can receive instructions from the local government on the subject; that whether they conform to that injunction or enter the harbor notwithstanding such notice, official information shall be taken from each of the consulates general residing in Egypt, and that if the nationality of these vessels be not owned by either one of them they shall be excluded from the port, in accordance with the rules in force.

Be pleased to accept, monsieur le consul général, the assurances of my high consideration.

TOULFIKAE PACHA,
The Minister of Foreign Affairs.

Monsieur WM. L. THAYER,
Consul General of the United States of America, Alexandria.

Mr. Thayer to Mr. Seward.

No. 17.]

UNITED STATES CONSULATE GENERAL,
Alexandria, March 13, 1862.

SIR: The agitation so adverse to American shipping, caused by the presence of the privateer Sumter in these waters, has sensibly diminished, owing to the arrival of federal men-of-war off Gibraltar. The recognition by European powers of the efficiency of our blockade, coupled with the late brilliant successes of our army at home, has also been most auspicious.

Public opinion here, which was somewhat unfavorably affected by the prolongation of our domestic struggle, has taken a better turn. This desirable result is enhanced by the publication of the State Department's correspondence with foreign powers, which has dissipated many prevalent errors as to the nature and pretensions of our government, and as to the purpose and ability of our nation to maintain its integrity. The enlightenment of mankind on this subject will not be the smallest compensation for the evils which the insurrection has brought upon us. Many intelligent and influential Europeans are constantly passing through or sojourning here, and Egypt, therefore, affords excellent opportunities to obtain the average sense of the civilized world on our affairs.

Apprehensions of privateers having to some extent subsided, all but two of the American ships freighted here have cleared. Cotton, in consequence of expected peace in the United States, has fallen, and is now quoted at $15 the cantar.

The Prince of Wales, who arrived about three weeks ago, is in Upper Egypt. He was received with hospitalities by the government at Cairo, the prince making the first call at the palace of the viceroy.

An invitation to the viceroy to be present at the Great Industrial Exhibition at London, in May, has been accepted, and his highness has contributed to the exhibition from the agricultural and manufacturing products of Egypt.

A new railway, the carriages to be drawn by horses, is in process of construction from Alexandria to Ramleh, a sea-side resort some five miles from here. Thence it will, perhaps, be extended to Rosetta. Both in its charter and in common parlance it is known by the name of "The American Railway." It is the first of its kind attempted in Africa.

The American missionaries are putting in order the very large and handsome building (referred to in my despatch No. 12) which has been granted to them in fee simple by the viceroy. It fronts the Esbekieh, or public square of Cairo, the most eligible part of the city. It comprises not less than twenty-five spacious rooms, three of them measuring forty-five feet by sixteen each, and the estimated value of the property is not far from $50,000.

I mention this as an event which strongly testifies to the respect felt for the American name by the government of Egypt. The first motive of the gift was a suggestion made by this consulate general to the viceroy, that American missionaries had not shared in the bounty so generously accorded by his highness to the religious missionaries of Europe. There is no ground for such a remark now.

I have the honor to be, sir, very respectfully, your obedient servant,

WM. S. THAYER.

Hon. Wm. H. Seward,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Thayer.

No. 11.]

Department of State,
Washington, April 8, 1862.

Sir: Your despatch of March 13 (No. 17) has been received.

The President is highly gratified with the information it brings concerning the liberality exercised by his highness the Pacha to American citizens and American missionaries.

The sensible relief of our merchants and seamen from their recent apprehensions of danger to our shipping in the Mediterranean comes home to us as a new argument to re-enforce the determination of the government to maintain the integrity of the republic.

The progress of the Union forces continues to be eminently successful.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Wm. S. Thayer, Esq., *&c., &c., &c., Alexandria.*

The President of the United States to the Viceroy of Egypt.

WASHINGTON, *October* 11, 1861.

GREAT AND GOOD FRIEND: I have received from Mr. Thayer, consul general of the United States at Alexandria, a full account of the liberal, enlightened, and energetic proceedings which, on his complaint, you have adopted in bringing to speedy and condign punishment the parties, subjects of your highness in Upper Egypt, who were concerned in an act of criminal persecution against Faris, an agent of certain Christian missionaries in Upper Egypt. I pray your highness to be assured that these proceedings, at once so prompt and so just, will be regarded as a new and unmistakable proof equally of your highness's friendship for the United States, and of the firmness, integrity, and wisdom with which the government of your highness is conducted. Wishing you great prosperity and success, I am your friend,

ABRAHAM LINCOLN.

His Highness MOHAMMED SAID PACHA,
Viceroy of Egypt and its Dependencies, &c., &c., &c.

By the President:
WILLIAM H. SEWARD,
Secretary of State.

MOROCCO.

Mr. De Long to Mr. Seward.

Consulate of the United States,
Tangier, February 20, 1862.

Sir: I have the honor to inform you that two secessionists, commissioned by the captain of the pirate steamer Sumter, were landed here yesterday from a merchant French steamer, Ville de Malaga, proceeding from Gibraltar on their route to Cadiz, to purchase coal to supply the Sumter, which is still in the port of Gibraltar, uncoaled.

One of these men, I am informed, is a lieutenant of the Sumter; the other, Mr. Tunstall, who has been acting as United States consul at Cadiz, up to some time last summer, and was intending to return to the southern States on board of the Sumter.

Having received this information from what I considered reliable authority, I made application to the Moorish authorities for soldiers, and had them arrested at the beach, at about 4 o'clock in the afternoon of yesterday, as they were about to return to the steamer to proceed to Cadiz.

They are now confined in one of the rooms of the United States consulate, awaiting the arrival of the Tuscarora, which is expected to morrow, as I wish to place them in the charge of the commander, to be conveyed by him to the United States on his return.

During the progress of these proceedings I overheard Tunstall calling his friend Myers, and in a note that he gave to one of the soldiers to be conveyed to a friend of his, at the English hotel, by the name of Harrison, a lieutenant in the English navy, which I objected to be delivered, he signed the initials "H. M." I then referred to the United States Navy Register for the year 1861, and found, in page 46, that a man by the name of Henry Myers was commissioned paymaster, with the rank of lieutenant, on the 21st day of June, 1854, and was a citizen of the State of Georgia at the time.

During a conversation I had with Tunstall he informed me that his comrade was a citizen of Georgia; consequently all these circumstances induced me to the belief that the aforementioned prisoner in question was the identical Henry Myers.

I had no way to confine them safely without putting them in irons, and even then I have to keep four soldiers guarding them day and night.

They applied for French protection, on the ground that they came to this place on board of a French steamer, but the French consul's reply was, that as soon as they left the steamer, and landed on Moorish territory, he had no right to protect them, nor to interfere in any way whatever.

They then claimed an interview with the British minister, Mr. Drummond Hay; but this gentleman called on me, and inquired if I was aware of my prisoners having requested an interview with him. I answered, no. I said to him, "Mr. Hay, I know you to be a gentleman, and if you desire to see the prisoners you can do so." He replied promptly that he did not. First, he said, he had no power to interfere; secondly, his government had given positive instructions to all their ministers and agents to observe strict neutrality.

I must add that the Moorish authorities are entitled to great credit for their prompt assistance in aiding the arrest of these men.

I must not omit also the confidential interpreter of this consulate, Mr. Morris Pariute, who acted with great energy and activity in the capture of these men.

American citizens may talk and plot treason and rebellion at home, if they can, but they shall not do so where I am, if I have the power to prevent it.

Hoping the government will approve of what I have done in this matter, I have the honor to be, sir, your obedient servant,

JAMES DE LONG.

Hon. WM. H. SEWARD,
Secretary of State.

Mr. De Long tō Mr. Seward.

No. 5.]

CONSULATE OF THE UNITED STATES,
Tangier, February 27, 1862.

SIR: I have the honor to inform you that I was disappointed in my expectation in regard to the arrival of the Tuscarora on the 26th instant, as I had addressed a despatch to her commander on the 20th, copy of which is herewith enclosed. On the 23d the military secretary of the governor of Gibraltar arrived here by an express courier. I accidentally met him, and from his demeanor towards me I suspected that there was some plot on hand. Shortly after this my suspicions were fully realized, as I learned that the secretary was the bearer of a letter from the captain of the Sumter to the Moorish minister for foreign affairs, demanding a release of the prisoners in my custody, and there seemed to be an unusual movement among the people. On the next day I sent my second despatch to the commander of the Tuscarora, a copy of which is herewith enclosed, with his reply. On the evening of the 25th, about 6 o'clock, I received a despatch from the Moorish minister, a copy of which, with my reply thereto, is herewith enclosed, in which he demanded a surrender of the prisoners.

My reply was conveyed to the minister at 8 o'clock of the 26th, which was read and explained to him by my interpreter, who was informed by the minister that there would be no impediment offered to my removing the prisoners. By the time my interpreter had arrived at the consulate, the United States ship-of-war Ino had anchored in the bay. Leaving off all formalities, her commander with three of his junior officers came on shore, and thence proceeded to the American consulate. The commander, accompanied by my interpreter and myself, proceeded to the residence of the Moorish minister to pay our respects to him, and to make arrangements for firing a salute, and about the embarcation of the prisoners. Our interview took place at 11 o'clock a. m., and in which it was repeated that there would be no objections made to their removal on board of the Ino.

After exchanging a salute of 21 guns, which took place at 1 o'clock p. m., I consulted with the commander of the Ino about the manner of conveying the prisoners on board, and we came to the conclusion, to prevent any demonstration that might be made on the conveyance of the prisoners to the beach, that it would be advisable to order thirty marines to come on shore, fully armed, to accompany the prisoners. Prior to the arrival of our men on shore I discovered that there was a plot going on, formed out of European subjects residing in Tangier, to prevent the embarcation of the prisoners, and to take them out of our hands at the time of conveying them to the beach. Although I had not at first much confidence in the report, bearing in mind the strict neutrality of European nations in relation to our civil war, nevertheless, by the time the marines had landed on the beach, the gates of the port were closed, and an armed mob of between three and four hundred Europeans, residing here under the protection of foreign representatives at this place, had assembled at the American consulate. On hearing a noise in the street leading to the consulate, the commander of the Ino, his purser, surgeon, and Mr. Train, master's mate, and myself, went into the street. I enquired of one of the mob, who could speak English, what they wanted. He replied that they were determined to have the prisoners in my custody released. We immediately made a rush at them and drove them out of the street. We then returned into the consulate and closed the doors. The mob then returned and tried to break into the consulate. I immediately sent a note to my interpreter to inform the Moorish minister of what was going on, and to demand of him soldiers to suppress the mob. Fortunately, before my interpreter got my note, he had gone to the minister and informed him in relation to the mob; then the minister sent a message to the foreign representatives to withdraw their subjects, and he also sent troops to protect the United States consulate and to disperse the mob; all of which was attended to promptly.

The commander of the Ino, accompanied by three of his junior officers, my interpreter and myself, then proceeded to the residence of the minister at about 3 o'clock p. m., and after a few preliminary remarks I gave the minister to understand the ultimatum of what I required, and nothing short of which would I accept, which was in the following words:

1st. That the gates of the port should be opened.

2d. That the marines be permitted to march uninterrupted to the American consulate.

3d. That he furnish a sufficient number of troops to keep down the mob and to accompany the prisoners to the beach.

4th. All of which must be complied with, within one hour, or I would strike the American flag and quit the country.

The minister replied, no, no, your request shall be acceded to, but I desire you to hold over until to-morrow, when all will be quiet; I replied that I would consent to no delay, for the reason that it would only give the mob an opportunity to make further preparations.

This closed the interview and we returned to the consulate, and in less than one hour the gates of the port were opened, the marines marched to the consulate, the Moorish troops were on hand, and the prisoners were then brought out, and we marched down to the beach in the presence of at least three thousand spectators, without the least interruption, and they were placed on board of the Ino, which sailed last night. I must add that the commander of the Ino, his junior officers and marines, all acted their part bravely to sustain the honor of the American flag.

I have the honor to be, sir, your most obedient servant,

JAMES DE LONG.

Hon. WM. H. SEWARD, *Secretary of State.*

No. 1.]

CONSULATE OF THE UNITED STATES,
Tangier, February 20, 1862.

SIR: Having learned that two secessionists landed here yesterday from a merchant French steamer, Ville de Malaga, proceeding from Gibraltar on their route to Cadiz; one of them, I am informed from undoubted authority, is a lieutenant of the pirate Sumter, the other, Mr. Tunstall, has been acting as

United States consul at Cadiz up to some time last summer; both of whom are commissioned to purchase coal at Cadiz to supply the Sumter, by her captain.

This state of facts being presented to me, together with other reliable information in reference to the disloyalty of those men to the federal government, induced me to take necessary steps for their arrest, which I have done, and they are now held as prisoners in the United States consulate at this place. I now make the request that you come here at your earliest convenience possible, so that I may deliver the said Tunstall and Lieutenant John Smith, *alias* H. Myers, into your custody, to be conveyed by you to the United States on your return, and on your arrival there to be placed by you under the proper authority of the federal government of the United States of America, to be dealt with according to law, and this shall be your warrant for so doing.

Given under my hand and seal of the United States consulate at Tangier, Morocco, Africa, the day and year above written.

JAMES DE LONG, *United States Consul.*

The COMMANDER *of the United States Steam Sloop-of-war Tuscarora.*

No. 2.] CONSULATE OF THE UNITED STATES,
Tangier, February 24, 1862.

SIR: I have been expecting you daily since the 20th, but suppose you cannot leave the Sumter. I have the united good will of the British minister here and all the consular corps, as well as the Moorish authorities. The first parties named are strictly neutral, but, at the same time, I am very unpleasantly situated. My guards are all Moors, and the prisoners have tried several times to bribe them; first they offered them a valuable gold watch and one hundred dollars in gold. This is very tempting to semi-barbarians. They finally offered to secure to them five thousand dollars to assist them in making their escape. I had to put them in irons, and Myers got a case knife and sawed off the rivets, and got the irons off, and jumped out of the second story of the consulate, but fortunately into the consulate lot; he then got over the wall into the house of a Moor, and was again arrested and taken back to his room, and the number of guards increased.

I understand that there is bitter feeling against you and myself in Gibraltar, against me for what I have done in this matter, and against you for some remarks you seem to have made. I have never had the honor to know you, but you will please excuse me for advising you to keep cool and calm, and give no offense to any one. It is hard to do so, for the English, a great many of them, are extremely insulting to the federals, and are nearly all on the side of the rebels.

I am informed that a federal man-of-war arrived at Cadiz on the 19th instant, and if you cannot come after the men will you do me the favor to telegraph to the captain of that man-of-war to come here immediately.

It may be that the rebel portion of Europeans might combine with the Moors to raise a mob and try to have these men released. The captain of the Sumter is trying to get up a feeling in his favor for that purpose in Gibraltar, so by all means these prisoners should be placed on board a federal man-of-war as soon as possible. And I trust you will consider the very disagreeable position I am in and release me as soon as possible.

Myers is a desperate fellow. He was commissioned in the federal navy on the 21st June, 1854, as paymaster, with the rank of lieutenant, and is a citizen of the State of Georgia. About this there can be no possible doubt. I found out his name and residence through Tunstall. I then referred to the United States Navy Register, in page 46, for the year 1861, and find Henry Myers as paymaster, and as above stated. Excuse any mistakes in my letter, as I wrote in great haste, to get it ready for the boat about to leave.

I have the honor to be, sir, your obedient servant,

JAMES DE LONG,
United States Consul General.

P. S.—I learned last evening that there is a secret movement on foot. The captain of the Sumter is making many false representations to accomplish some deep plot. I want the presence of a federal man-of-war in this bay.

J. D. L.

The COMMANDER *of the Tuscarora.*

No. 3.

UNITED STATES STEAMER TUSCARORA,
Off Algeciras, February 25, 1862.

SIR: On receipt of your communication of February 21 I was so situated as not to be able to leave this bay. I made no reply to your letter, as I wished to gain time, and not through any disinclination to assist you. I now send to you the United States steamer Ino, Lieutenant Commanding Creesy, who will receive from you the rebels whom you have taken into your custody.

Will you please send me a written statement of the particular circumstances which caused you to apprehend them; how long they had been on shore in Tangier at the time of their arrest, and what they were doing there?

Very respectfully, your obedient servant,

J. AUG. CRAVEN, *Commander.*

JAMES DE LONG, Esq.,
United States Consul, Tangier.

No. 4.

[Translation.]

PRAISE BE TO OUR GOD.

To our dear and wise friend the consul general for the American nation, James De Long, esq., which premised, we continue to make inquiries regarding your welfare, and praying God that you are well.

We have received a letter from the captain of the steamer Sumter, from the Confederate States, in which they inform us that the two men that you have seized are of the best of men, and they are guiltless, except that they are from the separated Confederate States.

I know that you have sent to ask from our lieutenant-governor to help you in their seizure. The lieutenant-governor has acceded to your demand, and sent you soldiers to make the arrest without ascertaining the case; but now that we received the said letter informing us of these men that they are of the best of men, and without any fault, except a political affair, and, as a matter of this character, I beg that these men should be considered in this country the same that have been at Gibraltar and Cadiz.

If I am to keep still in this affair, after the receipt of the said letter, it would appear that I am dealing different of what other people do. Therefore we ask from you to deliver us these men to remain free as they were in other places, as we wish to act in the same manner that other nations have acted.

We have no doubt that when you receive this letter you will put them free, as our object is to do good and to cultivate friendship with all the nations and race.

Written on the 25th of "Shahbon," year 1278, corresponding February 25, 1862, and beg from you a prompt answer. God bless you.

The employed of the throne elevated by God.

MOHAMED BARGASH.

God may protect him.

No. 5.

Consulate of the United States of America,
Tangier, February 26, 1862, 8 *a. m.*

Dear Sir: Your note of the 25th instant was duly received last evening at 6 o'clock p. m., informing me that your excellency had received a letter from the captain of the steamer Sumter, of what you styled the Confederate States, in which they inform you that the men I have seized, through the assistance of the Moorish authorities, are of the best of men, and they are guiltless, except that they belong to the Confederate States, and therefore you demand of me their surrender. This, may it please your excellency, is a most extraordinary proceeding, after my having received from the Moorish authorities soldiers to make the arrest in pursuance of all precedents heretofore practiced and acted upon in your country, and that, too, under circumstances not so aggravated as I now detail to your excellency: First. There is no government known and recognized as Confederate States, and the captain of the steamer Sumter, his crew, and the men in my custody are citizens of the federal government of the United States, which I represent in your empire, all owing allegiance to the same.

The steamer Sumter is a federal vessel, and has been seized by the traitors and rebels to the constituted authorities of the federal government, and has been engaged for the past eight or ten months in capturing, plundering, burning, and sinking merchant trading vessels of the United States; two of which were captured, plundered, and sunk in the straits of the Mediterranean sea; and these men that I have in custody—one of them being an officer of the said pirate Sumter—came to this place without any passport, or any government empowered to give them passports except the government I represent, and were on their way to Cadiz for the purpose of devising means to renew their depredations.

With reference to what your excellency alludes to, and desiring to pursue the same line of policy that has been adopted at Cadiz and Gibraltar, with reference to the said pirates, you are aware that the regulations by which they are governed in Europe have no reference whatever with that of your country, which is regulated by treaties with foreign governments.

I have no doubt that if your excellency had been aware of these facts you would not have adhered to the representations made to you by a pirate.

Shall seventy-six years of uninterrupted friendship that has existed between your government and that of the United States be brought to an end for the sake of pirates?

I trust in this brief note to your excellency that, after the explanation given, no impediment will be offered to my embarking the prisoners on board of the American man-of-war now in your harbor.

Very truly, your most sincere friend,

JAMES DE LONG.

His Excellency SIED MOHAMED BARGASH,
Moorish Minister of Foreign Affairs.

Mr. De Long to Mr. Seward.

CONSULATE OF THE UNITED STATES,
Tangier, March 5, 1862.

SIR: Since the embarcation of the prisoners, Myers and Tunstall, I had every reason to believe that the representatives for foreign governments had failed to do their duty in reference to their subjects residing at this place, who composed the *mob* of the 26th ultimo, and who are under their sole and exclusive jurisdiction, and over whom their power is unlimited.

The mob was got up in the neighborhood of the residence of the consuls, in the market place, where they had a table, with pen, ink, and paper, set out in the middle of the street, signing and pledging themselves in a solemn manner to force the release of the prisoners in my custody, at all hazards.

In addition to this, I had no evidence that they had made any attempt to withdraw their subjects and keep down the mob, until they were directed to do so by the Moorish minister. I therefore addressed a circular to all the representatives, asking an explanation upon the illegal act of their subjects towards the United States consulate; a copy of the same, with their replies thereto, I have the honor to submit to the department.

The mob was mostly composed of English, French, Spanish, and Italian subjects. There was not one Moor engaged in the *mob;* on the contrary, the Moorish soldiers performed their duty faithfully.

Through all my trials in connexion with this transaction, Mr. John H. Drummond Hay, her Britannic Majesty's minister resident at this place, although he was strictly neutral, was, at the same time, my true and faithful friend.

I have the honor to be, sir, your most obedient servant,

JAMES DE LONG.

Hon. WILLIAM H. SEWARD,
Secretary of State.

P. S.—I shall carry with me to the latest period of my life the scenes of the 26th ultimo. I have heard of barbarian mobs in barbarian countries, but it is the first time in my life that I have ever heard of nearly the entire Christian population in a semi-barbarian country raising a mob to interfere with the acts of a Christian consul. But thank God that I have overcome all, and sustained the honor of the American flag. J. D. L.

CONSULATE OF THE UNITED STATES OF AMERICA,
Tangier, March 1, 1862.

SIR: In the afternoon of the 26th ultimo the United States consulate was besieged, the American flag insulted, and my life endangered by an armed mob, composed of European subjects residing here under the protection of representatives from foreign governments.

The circumstances connected with the history of this outrage lead me to believe that there was no intervention by any of the representatives before mentioned to put down the mob until directions were given by the Moorish minister of foreign affairs.

If temporary civil war is raging in my beloved country, we still have a Union and a Constitution, which we will, in God's name, preserve and transmit unimpaired to our children and children's children through succeeding generations; and a flag known and honored throughout the world shall not be insulted by a rabble European mob on the coast of Africa without a proper acknowledgment being made by those who perpetrated the outrage, or those who connived at it.

Trusting that in your early response to this communication you will be able to acquit yourself honorably, and enable me to make a satisfactory report to my government,

I have the honor to be, sir, your most obedient servant,

JAMES DE LONG,
United States Consul.

JOHN HAY DRUMMOND HAY, Esq.,
Her Britannic Majesty's Minister Resident, Tangier.

The same to—

HADJOUTE PELLISSIER, Esq.,
Acting French Chargé d'Affaires.

S. D'EHRENHOFF, Esq.,
Swedish Consul General.

GUISEPPE DE MARTINO, Esq.,
Italian Agent and Consul General.

FRANCISCO MERY Y COLOM, Esq.,
Spanish Chargé d'Affaires.

JOSÉ MANUEL COLACO, Esq.,
Consul General for Portugal.

BRITISH LEGATION,
Tangier, March 2, 1862.

SIR: I have the honor to acknowledge the receipt of your letter of yesterday's date, acquainting me that on the 26th ultimo the United States consulate was besieged, the American flag insulted, and your life endangered by an armed mob of Europeans, residing here under the protection of the representatives of foreign governments; and you further state "that the circumstances connected with the history of this outrage lead you to believe that there was no intervention by any of the representatives to put down the mob, until directions were given by the Moorish minister for foreign affairs."

In reply, I beg to repeat what I have already had the honor to state to you verbally, viz: That her Majesty's consul, Mr. Beade, previously to the receipt of any message from the minister for foreign affairs, had, on hearing of the tumult amongst the European community, taken the necessary steps to prevent any persons under our jurisdiction from breaking the peace, or in any way interfering with your acts as consul for the United States.

On my return from the country, at about 4 p. m., I found the tumult had been quelled; but I, nevertheless, reiterated the orders which had already been given by Mr. Beade to British and other subjects under our jurisdiction.

I avail myself of this opportunity to repeat to you my regret, if any individual within the pale of our jurisdiction should have taken part in the proceedings you describe, and which I entirely disapprove of.

Should you, however, think proper to prosecute any person under the jurisdiction of the British consulate general, you have only to take the usual steps for bringing the matter before her Majesty's consul.

I have the honor to be, sir, your obedient humble servant,

J. H. DRUMMOND HAY.

[Translation.]

TANGIER, *March* 3, 1862.

SIR: I have received the communication which you have done me the honor to address to me under date of the 1st instant, and regret to learn the scandalous events which gave rise to insults addressed to you and against the flag of the United States.

Having no subjects here, my consular jurisdiction is naturally without power to intervene, but I can assure that if any countrymen had been in Tangier I would have immediately recalled them to a sense of their duties, had that been necessary.

It is, however, befitting, sir, in answering your letter, to take up a passage, the bearing of which seems to me, at the least, strange. You say, "trusting in your early response to this communication, you will be able to acquit yourself honorably, &c., &c." You ought not to be ignorant, sir, that the case happening, I would only have to justify myself in the opinion of my own government, and never towards you, representing a foreign power.

Accept, sir, the assurance of my high consideration.

S. D'EHRENHOFF.

Mr. DE LONG,
Consul General of the United States in Morocco.

[Translation.]

AGENCY AND CONSULATE GENERAL OF HIS MAJESTY THE KING OF ITALY,
Tangier, March 3, 1862.

SIR: I have the honor to acknowledge the receipt of your despatch of 1st March.

I see, with regret, that you have been collecting, upon the events which passed on the 26th February, reports which are not exact. Representative of a free country, I could not hinder my countrymen from freely expressing their opinion; but as soon as I learned from the representative of Spain that a mob was going towards your consulate, fearing some unlawful act, immediately, in accord with this colleague, I sent all my soldiers, and all employed by me, to order all Italians to withdraw from the crowd, and to retire, and all, without exception obeyed my order, and this step was taken by me, without having received, either before, or afterwards, any communication on the part of the minister for foreign affairs. Although convinced that no one of my countrymen went near your consulate, nevertheless, if you choose to take legal proceedings against any one, this consulate will hasten to render justice to your complaint by instituting a judicial investigation.

I hasten to give you these explanations, animated by the spirit of conciliation and respect for you, but, at the same time, I have the honor to tell you that the sole judge of my conduct is my government, and in that alone do I acknowledge the right to acquit or censure me.

I have the honor to be your obedient servant,

GUISEPPE DE MARTINO.

Mr. De Long,
Consul General of the United States in Morocco.

[Translation.]

Legation of her Catholic Majesty in Morocco,
Tangier, March 2, 1862.

The undersigned, charge d'affaires of her Catholic Majesty, has received the communication which, under yesterday's date, the consul general of the United States has pleased to address to him.

The undersigned sees, with regret, that the consul general of the United States appears not to understand the facts which took place on the 26th of February last.

Those facts are public, and no one in Tangier is ignorant of the attitude which, from the beginning of those events, without any incitement on the part of the authorities of Morocco, the legation of Spain assumed in respect to her subjects. This attitude grew out of the reprobation with which the undersigned always has regarded and always will regard every unlawful act which may tend to abridge, by intimidation or otherwise, the free action of the representatives of the Christian powers in Morocco.

Notwithstanding this, the undersigned has the honor to state to the consul general of the United States that so soon as in the early hours of the morning of the 26th he could notice the excitement among the people of the city, he issued suitable preventive orders to the guard of the Spanish legation that they should not permit that Spaniards should take any part in any active demonstration. Later in the day when the undersigned received intelligence that the mob was going towards the house of the American consulate, the undersigned sent thither all his guards, suitably armed, with decided orders, by the employment of force if it should be necessary, they should send off from thence every subject of her Majesty there might be among the multitude, and should not allow any Spaniard to commit the least disrespect to the dwelling of a foreign agent.

The arrangements of the undersigned, dictated in concert with the representative of his Majesty Victor Emanuel, who acted in the same manner, were faithfully carried out.

The undersigned is gratified in also bringing to the view of the consul general of the United States that if he has special reasons to believe that any Spaniard participated directly or indirectly in the act to which, in his communication, he refers, he can make it known to the undersigned, who will cause the proper judicial investigation to be made, and if thereby shown to be culpable he shall be punished.

The undersigned, in giving these explanations to the consul general of the United States, considers it his duty to state explicitly that he grounds them solely on the impulse of his sentiment of friendship and good will towards Mr. De Long.

The undersigned avails of this occasion to reiterate to the consul general of the United States the expression of his sentiments of distinguished consideration.

FRANCISCO MERY Y COLOM.

The CONSUL GENERAL *of the United States of America.*

[Translation]

CONSULATE GENERAL OF PORTUGAL IN MOROCCO,
Tangier, March 3, 1862.

SIR : In view of the note which I had the honor to receive from you, dated the 1st instant, the contents whereof I have duly noted, I deem it my duty to place in your hands the following answer. It is not possible for me, at the moment when riots and tumults break out in this country out of my sight, to know whether or not Portuguese subjects are so implicated as to be subject to be proceeded against in conformity with our laws, unless the culpable, if such there be, are pointed out to me. I should pass beyond my attributes to notice upon hearsay riots and tumults, unless their existence interfere with me or my people, as such should be made known to the public authority which is competent to their suppression, but notwithstanding, when, on the 26th day of February, I was told of the disorders then occurring, I ordered notice to be given to the small number of my countrymen residing in this city that they must take good care not to mix up with matters which did not belong to them. This being done, and being ignorant of the circumstances you mention relative to the history of the outrage to which you allude, I find it gratuitous that, directly or indirectly, any responsibility can be imputed to me in such a conjuncture, but it would be proper, if you are pleased to prefer an accusation before me against this or that individual subject to my jurisdiction, whom you may judge to have been involved in the grave events which are the subject of your said note, that I should, in respect to them, take such proceedings as pertain to my duty, adding that, if I do not mistake the purport of the last paragraph of your note, I know nothing of any obligations I am under of which I should honorably acquit myself as towards you, my government being the only tribunal competent to pass judgment on my actions.

In addressing to you what I have thus said, I avail myself of this opportunity to reiterate to you, sir, the assurance of my highest consideration.

JOSÉ MANUEL COLAÇO.

Hon. J. DE LONG,
Consul General of the United States of America at Tangier.

Mr. De Long to Mr. Seward.

CONSULATE OF THE UNITED STATES,
Tangier, March 20, 1862.

SIR: I have the honor to enclose a copy of a telegram and two letters, addressed by Horatio J. Perry, United States charge d'affaires at Madrid, to Captain Craven, of the United States ship-of-war Tuscarora, in relation to the arrest of Myers and Tunstall, which have been transmitted to me by said legation, accompanied with a letter of congratulation upon the subject, which I also enclose.

In making the arrest I acted with a full knowledge of what I believed to be the law, and with a view of restraining these men from committing further depredations upon our commerce.

I pursued the whole thing step by step, using the utmost caution to avoid leading my government into trouble, although on the 26th of February my life was in the greatest possible danger, brought about by Captain Semmes, of the pirate Sumter, through the interference of the governor of Gibraltar, as well as nearly the entire European population of Gibraltar and this place, where money was offered freely to the mob if they would secure the release of the prisoners.

I believe I was the only man in the place on the day of the mob that was not excited. Even Prince Muley Abbas, who is residing here at present, and who is said to be a very intelligent, mild, innocent sort of a man, when he heard of the mob, made the remark—"what the devil have the Christians to do with the American consul's prisoners."

During the short time I have been here my whole time and attention has been devoted to the interest of my government, and what is my reward! Last evening three letters came to this place addressed to different parties, from Brown, my late predecessor, informing them "that the Senate had not confirmed my appointment, and that the President had appointed a Mr. McMath, of Ohio, in my place, and that he would be here shortly."

This information came at a very inopportune moment, as it will be freely circulated throughout Europe that I have been recalled for my arrest of Myers and Tunstall, and besides, what effect this news may have upon the minds of the Moorish authorities is yet to be revealed.

On the 10th instant the United States steamer Kearsarge paid a visit to this place, to inquire after the safety of the United States consulate, pursuant to the event of the 26th of February, which interview was very interesting. Assurances of the protection of the United States consulate, as well as the kindly relations between the United States government and this country, were entertained by the Moorish minister at the time. Arrangements were also made about exchanging a salute, which took place shortly after.

The Kearsarge remained here until the next day, and then returned to Algeciras.

I have the honor to be, sir, your most obedient servant,

JAMES DE LONG.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Telegram.]

No. 1.] MADRID, *February* 26, 1862.

Pray take the Tangier prisoners in custody aboard your ship if it can be done without losing sight of the Sumter.

HORATIO J. PERRY,
Chargé d'Affaires.

Captain CRAVEN,
Abordo vapor Tuscarora, Algeciras.

No. 2.] LEGATION OF THE UNITED STATES,
Madrid, February 26, 1862.

CAPTAIN: After welcoming you to this coast, where the presence of the privateer Sumter has long called for the attention of our navy, I beg to say that Mr. Sprague, United States consul at Gibraltar and consular agent for Algeciras, has reported to me the arrest by United States Consul De Long, at Tangier, of a person calling himself a lieutenant of the Sumter, in company with Mr. Tunstall, late United States consul at Cadiz, who was deprived of his consulate for alleged infidelity to the government he was serving.

In reference to this case I feel it my duty to inform you that I do not regard the proceeding alluded to in the way it seems to have struck Mr. Sprague, according to his communication to you of the 19th instant.

The rules of neutrality vary in different states, and especially the rules which obtain among civilized nations are not applicable to the Mahomedan or semi-barbarous powers. Consuls enjoy, in Morocco, an almost absolute jurisdiction over the persons of their fellow citizens or subjects, to the exclusion of the local jurisdiction of the town, or that of the Emperor.

Mr. De Long, therefore, infringes no rule of public law in arresting a citizen of the United States within his jurisdiction, for the crime of treason or for robbery on the high seas, any more than if the arrest were for any other crime, and I beg you, if you can manage it without losing sight of the Sumter herself, to attend to Mr. De Long's request, and to receive the persons he has arrested aboard your ship as prisoners, to be taken home to the United States for trial under our laws.

A telegram to the same effect has been sent you to-day, of which please find copy enclosed.

Respectfully your obedient servant,

HORATIO J. PERRY,
United States Chargé d'Affaires.

Captain CRAVEN,
Commanding United States steam corvette Tuscarora, at Algeciras.

No. 3.] LEGATION OF THE UNITED STATES,
Madrid, March 3, 1862.

CAPTAIN: A telegraphic despatch last evening tells me of the arrival of the Kearsarge at Cadiz. Information has already reached me by mail that our consul, Mr. De Long, was in some trouble at Tangier on account of the arrest of Messrs. Myers and Tunstall, referred to in my letter of February 26. But as I have subsequent notice that these persons were safely embarked aboard the *Ino* and had arrived in her at Algeciras, it is to be hoped that all difficulty has ceased at Tangier. If, unfortunately, this should not be the case, you will allow me to express my opinion that the just and patriotic action of our consul ought to be sustained at all hazards, and the honor and authority of our consulate general at Tangier must be maintained. From my information it seems that the Moorish authorities have, from the first, been well disposed and their action unobjectionable; the whole difficulty is supposed to have arisen from the intrigues of other foreigner at Tangier, to which, perhaps, the authorities of Gibraltar are not wholly strangers. But neither the government of Great Britain nor that of any other Christian power can ever have authorized, nor will it sanction, such proceedings. The act of Mr. De Long was perfectly legal and proper, and was performed in the legitimate exercise of precisely the same kind of authority claimed and exercised by all the consuls of the Christian powers over the subjects of their respective governments found within their jurisdiction.

It is not probable in any case that the secession sympathies of a few of the subordinate authorities of Great Britain will be powerful enough to lead that government into the mistake of attempting, in any way, to diminish the consular authority and jurisdiction of the Christian powers in the Mahomedan states, or authority and jurisdiction which England, more than all others, is interested to maintain.

Whilst, therefore, I would recommend much and careful consideration to be manifested towards the Moorish authorities at Tangier, if the position of our consul is at all compromised at that place by recent events, I hope you will sustain him with all the force you may have available for the purpose, exacting from those authorities all the respect and defence and protection which it is their duty to give him.

A prompt and energetic demonstration by you before Tangier, with even a very small force, would probably tell better for the interests of our government in its moral effects upon the Moors than a much larger expedition later, when disputes may have intensified the evil, and delay rendered the position of our consul worse. I repeat it is to be hoped that all troubles will have ceased with the withdrawal of the prisoners. You are upon the spot and will be better able to judge of the state of things than I can; it is my purpose to speak only of the diplomatic and political bearings of the supposed difficulty at Tangier, and of such action as it might become your duty to take in view of certain circumstances of which you will have better knowledge than I have, but it might be well at any rate, whenever the exigencies of your blockade of the Sumter will permit, to visit the anchorage of Tangier in a friendly way, as it is some time since the Moors have seen our flag displayed by a man-of-war at that port.

I write to you as senior officer of the little squadron now present near the Straits of Gibraltar and, as I suppose, in command of all the ships. If I am in error please pass this communication to the flag-officer, whoever he may be, and believe me, sir, with much respect, your most obedient servant,

HORATIO J. PERRY.

Captain T. Augustus Craven,
Commanding United States War Steamer Tuscarora, at Algeciras.

Legation of the United States of America.
Madrid, March 5, 1862.

Sir: Your spirited and patriotic action in arresting, within your consular jurisdiction, Messrs. Myers and Tunstall, was reported to me by Mr. Sprague, of Gibraltar, in the course of his official duty as consular agent for Algeciras.

Allow me to offer you my personal compliments for that proceeding, which will certainly be appreciated by the President and commended by our people.

Mr. Sprague seems to have been a little fearful at first that you might have exceeded the strict limits of your authority in that proceeding. He is an experienced and able officer, but, perhaps, in this instance has been led involuntarily to measure the extent of your consular duties in some degree of the rules which would govern his own. Your position, however, is entirely distinct from that of any consul in a Christian state, and I did not therefore hesitate, as soon as the affair was known to me, to request Captain Craven, of the Tuscarora, to aid and sustain you in every respect. From subsequent accounts I suppose that this was, in fact, done spontaneously on his part or on that of the Captain of the *Ino* before my communication could have reached him. I have no doubt it was well done.

As Mr. Sprague has informed me since that there was or had been some disturbance in Tangier, and that you might still be molested on this account, I have again written to Captain Craven giving him my idea of some of the political considerations connected with the affair, and the opinion that you ought to be sustained at all hazards. Enclosed you will find press copies of these communications, and I beg you to command my aid and service in any way that may be useful to you or to the good service of our country.

Very respectfully, sir, your obedient servant,

HORATIO J. PERRY,

JAMES DE LONG, Esq.,
United States Consul, Tangier.

Mr. Seward to Mr. De Long.

No. 2.]

DEPARTMENT OF STATE,
Washington, April 3, 1862.

SIR: Your despatch of the 20th February (No. 3) has been received.

It gives an account of the arrest of two of the crew of the pirate Sumter, and their detention, with a view of their being sent to the United States.

I have subsequently learned, though informally, that the persons thus arrested have been despatched to this country.

The French minister residing at this capital mentioned to me, informally, yesterday, that he was charged with a communication to me upon the same subject by his government.

For this reason I defer presenting the matter to the notice of the President until the promised statement of Mr. Thouvenel shall have been received.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES DE LONG, Esq., *&c., &c., &c., Tangier.*

Mr. Seward to Mr. McMath.

No. 2.]

DEPARTMENT OF STATE,
Washington, April 28, 1862.

SIR: This department has been informed by despatches from Mr. De Long, late the consul of the United States at Tangier, and by informal communications, made by the minister of France, of the arrest of two American citizens, Henry Myers and J. F. Tunstall, at that place, and of their delivery on board of an American vessel to be transferred to the United States, together with the popular proceedings which occurred at Tangier upon that occasion. I am now to explain the President's views of the transaction.

It is well known that the insurgent piratical steamer Sumter has been resting several months in the port of Gibraltar, after a cruise in which she had destroyed much American property and several American merchant ships, off the coasts of South America, Africa, and Europe.

In the month of March last, a vague report reached this country through the foreign press to the effect that Semmes, the commander of the Sumter, had been arrested at Tangier by the American consul, but without any detail of facts or circumstances. The Secretary of State thereupon transmitted an instruction to the consul to send Semmes home to the United States, that his case might be disposed of by the federal government. This instruction, however, failed to reach the consul until after the entire transaction at Tangier was completed and ended. The Sumter at Gibraltar was destitute of coal and unable to procure it there, and her destructive career was arrested for that reason only. On the 19th of February last, Myers, who was a pretended lieutenant and purser of the Sumter, with Tunstall as an associate, embarked at Gibraltar on board of the French merchant steamer Ville de Malaga, as the consul reports, for the purpose of proceeding to Cadiz, to procure there a supply of coal for the Sumter. The Ville de Malaga stopped at Tangier, in Morocco, and those persons went abroad through that city at their pleasure, without reporting themselves in any way to the American consul, or giving him such notice of their arrival as all American citizens going there are required to give.

The consul therefore applied to the Moorish government for a military guard, and, with its aid, arrested the two sojourners, conveyed them to the consulate, and kept them confined there in irons until the arrival of the American ship of war Ino, when, with the aid of a like guard, granted on his application by the Moorish authorities, he transferred them in irons to that vessel, the commander of which afterwards shipped them on board an American merchantman, to convey them to the United States. They arrived at Boston on the 18th of April, and were there committed into military custody at Fort Warren. The essential details of the transaction will be brought out in the sequel of this paper.

The subject involves a consideration—

First. Of the rights and duties of this government in regard to the prisoners, who are citizens of the United States.

Secondly. The rights and duties of the United States as affected by their relations with the empire of Morocco.

Thirdly. The rights and duties of the United States as affected by their relations with France.

Fourthly. The same rights and duties of the United States as affected, independently of treaties, by the law of nations.

First. The rights and duties of the government considered in their relations to the prisoners themselves.

Assuming that the consul's report is correct, these prisoners were taken virtually in the act of open revolutionary war against the government of their country. Their arrest, wherever it could lawfully be effected, was necessary as a means of suppressing the insurrection and maintaining the authority of the government. Manifestly they had no defence against arrest and detention by the government they were seeking to overthrow. True, they were put in irons, but the consul alleges that, without that temporary precaution, they could not have been held in custody or sent on board the vessel charged to convey them to the United States. The severity was merely an unavoidable incident of the transaction itself. A commission has been already charged by the Secretary of State to visit the prisoners and examine the facts in the case, and if the consul's statement shall prove erroneous, or his proceedings shall be found to have been unnecessarily harsh or severe, the proper remedies will be immediately applied.

Secondly. How is the case affected by the relations existing between the United States and Morocco? The empire of Morocco, like all the Mahomedan and Pagan powers, is regarded by Christian nations as a State only partially enlightened, or partially civilized. The traditional jealousies of Christian nations have induced them to treat such States as being exceptional ones, to which, in many respects, the law of nations, as recognized by Christian powers, does not apply. Thus all Christian nations refuse to the government of Morocco any right, power, or control whatever, in any circumstances, over the persons or property of Christians or Franks, as they are called, visiting or residing in that empire; and every Christian state holds all its subjects or citizens found in Morocco with their property as exclusively subject to its own laws, to be administered in all cases by its consular representative there, or by the government at home. Every citizen of the United States is required, when in Morocco, to seek from the consul and have a certificate, showing that he is under the consul's protection. Failing to obtain this, he has no right by law to remain there.

The treaty and laws of the United States recognize these relations, and confer on the consul authority to arrest, hold, and detain, try and punish, or send home for trial and punishment any American citizen, when he may deem such a proceeding necessary to the ends of justice at home or abroad. The treaty with Morocco authorizes the consul to apply to the Moorish authorities for military aid to enable him to execute these powers, and obliges these authorities unquestioningly to grant it. On the first impression of the case the point under consideration would seem to be disposed of satisfactorily, by stating that the Moorish authorities granted the aid required by the consul, and that they have made no complaint concerning the transaction, either to the consul or directly to this government.

But some who sympathize with the arrested parties have naturally claimed to speak in behalf of Morocco as a powerless State, and to complain in her behalf. They say that, because the prisoners were political offenders, Morocco ought not to have been called upon to deliver them up to the consul. If the objection were well taken, then, manifestly, the fault will be found in the treaty, not in the proceedings under it. But the treaty is in exact harmony with the treaties made by all Christian nations with Morocco. The President, therefore, is not obliged to hear these complaints. Nevertheless he is not disposed to disregard them. The complainants assert that when Mr. De Long requested of the Moorish minister of state a military guard to enable him to effect the arrest, he suppressed the fact that the crimes of the accused were of the class of cases known as political offences. But, it may be asked, has any one of the Christian nations stipulated to except that class of offences from the operation of its treaty with Morocco? Has any one agreed that Morocco shall be made by revolutionists a base for piratical or other hostile expeditions against such power itself? If Christian nations treating with each other do agree to except political offenders from the liabilities to extradition, it is because they trust that the state under whose protection they are found will not allow them to abuse that authority to carry on hostile operations against the other contracting nation, or against society at large. If any Christian state has shown itself willing thus to trust the empire of Morocco, the treaty which reposes that confidence can be produced. The utmost that in this respect can be pretended is, that some Christian nations, including the United States, have informally manifested their approval of the extension of the right of asylum granted by the Sultan of Turkey to the Hungarian refugees in the late civil war in Austria. But they were no longer combatants; their attempted revolution was ended, and the refugees were demanded by Austria, not on the ground of apprehensions of danger from the continued hostility, but to punish them for the treason which she alleged they had committed. Assuming the facts as reported, the offenders in this case were not held or sheltered in Tangier as exiles, or as refugees in asylum, but they were taken in the very act of war against this government.

It is unnecessary, however, to exhaust this argument. The record shows that, at the instance of the prisoners, their true character was made known to the Moorish governor, and he nevertheless thereafter still acquiesced in their being held in custody, and subsequently, on the application of the consul, opened the gates of the port and granted a new guard to aid him in conveying the prisoners to the ship which conveyed them from Tangier.

To this answer the complainants reply that this last act of acquiescence on the part of the Moorish minister was obtained through intimidation exercised by the American consul.

The facts, as reported, do not sustain this reply. On the day when the transfer of the prisoners from the consulate to the vessel was to take place, a mob of Europeans—or Franks, as they are there called—of various countries gathered about the American consulate, and, closing the gates of the port, or causing them to be closed, declared their purpose and made the attempt to set the prisoners free by combined and unlawful force, subversive of the peace and order of the Moorish empire. This was an act of intimidation practiced upon the Moorish authorities. It was on this occasion that the American consul required that the gates should be opened, and that a guard should be detailed to enable him to overcome the mob, saying that if these demands should not be granted he would strike his flag and leave the country. If this could be regarded as the language of menace, it was justified by a reasonable apprehension that the Moorish minister might deny a national American right under the intimidation of a foreign mob. Certainly no one should complain of it who is not prepared also to insist that international transactions of Christian powers in Morocco shall be conducted not, as now, by responsible agents of the states concerned, but by irresponsible, tumultuous, and violent assemblies of all the Franks in the public market-place. The President will, however, carefully reconsider the subject if the Emperor of Morocco or any sympathizing foreign state shall in any way express an opinion adverse to the conclusions at which I have arrived. He authorizes me to declare in advance his willingness to put the empire of Morocco on the same footing by treaty as any Christian state.

Thirdly. How is the case affected by the friendly relations which exist between the United States and France? We have a mutual extradition treaty with that power, and it exempts political offenders from extradition. Moreover, France has pronounced the insurgents a public belligerent, and has conceded to them belligerent rights, a position in which the United States have not acquiesced, although they have conceded to France the exemption of her vessels from all molestation except when carrying contraband of war.

The French government has, in very friendly and courteous manner, asked us to consider whether the prisoners, while on shore at Tangier, were not to be regarded by construction as still being on board the Ville de Malaga, and therefore entitled to the protection of the French flag.

The question is an interesting one, and the President, if he could be satisfied that when conceding the position to France he could secure the assent of other maritime powers, might be disposed to yield it, because it would be an enlargement of the privileges of neutral commerce, an interest as dear to this country as it is to France. It would be found, however, very difficult to carry into practice the principle involved. If Myers and Tunstall were to be deemed still under the tri-colored flag of the Ville de Malaga when no longer on shipboard and while actually sauntering at their pleasure through the streets of Tangier, are they not much rather to be regarded as entitled to British protection at the same time, because they had entered Gibraltar in their own vessel, and had only left her deck on a ship's errand of a day to Cadiz? Does a French subject enjoy in London the protection of his own government to the exclusion of British authority when he leaves Calais in the morning by the French steamer and visits the British capital by rail at noon, with the purpose, all the time, of returning by British railroad and the same French steamer to Calais in the evening? A different rule has obtained here. The captures of the Amistad were proclaimed free, under the operation of American law, by the Supreme Court of the United States, although they had been found on board a Spanish vessel forced by distress into American waters. In the same manner we hold, with Great Britain, that the British soldier is subject to British authority while he remains on the north side of the Niagara, and that he falls under the exclusive authority of the United States when, for any cause, under whatever flag, he has crossed to the south side of that river. The American slave becomes a freeman the moment he steps upon the soil of the islands or colonies of Great Britain. If this view is correct, it will be unnecessary to consider whether the protection which France, as a neutral, claims a right to extend to Americans, when sailing under her flag, covers persons who, in the language of the law, are called "military people," namely, soldiers, seamen, and privateersmen.

Fourthly. The rights and duties of the United States as they are affected, independently of treaties, by the law of nations.

It seems to have been imagined that the proceedings of the consul in making the arrest in this case were inconsistent with the principles hitherto maintained by the United States, as illustrated in the dispute between this government and that of Austria in regard to Martin Koszta. It has been assumed that in that instance the United States not only demanded impunity everywhere for all persons who were engaged, under any circumstances, in armed hostility to their own government, but even assumed a cosmopolitan championship for them. But this is very erroneous. Koszta had indeed been a revolutionist in Austria, and he was delivered by the United States authorities from the hands of Austrian agents in Smyrna, a province of Turkey, which is a Mahometan power whose relations to Christian states are the same as those of Morocco.

But the facts were that the civil war in Austria was at an end. Martin Koszta was a Hungarian by birth, and was a refugee; he had fled, and had been decreed an outlaw by Austria. He had taken asylum in America and had, under our laws, become domiciled and nationalized as an American, and as such was held entitled to the protection of this government under its treaty with the Sultan of Turkey. He held a guarantee of protection from our consul at Smyrna, a protection which was in conformity with the treaty and with our own laws. The agents of the Austrian government seized him and undertook to carry him away by force, against the remonstrances of our consul, and in defiance of the authorities of Turkey, and to subject him to arbitrary punishment as a subject of a state from which he had been transferred to the United States. It is not easy to understand how the proceedings of this government in that case can be deemed to commit it to tolerate revolution against itself by our own disloyal citizens.

If apprehensions of severe and cruel treatment by this government towards the two Sumter prisoners have produced any influence in exciting the discontents in the present case, those apprehensions may be expected to give way before the statement that, although this government has stood in its present constitutional form more than seventy years, with some experience of foreign war, and with one year's painful experience of civil war, no person has yet forfeited his life for its maintenance, except as a volunteer in the battle-field; no citizen has been banished; every person captured in war at home or abroad has been either freely dismissed, with or without parole, or has been exchanged or offered in exchange for another prisoner of class and character similar to his own.

It remains to say that the President disapproves of the circular letter written by the consul, Mr. De Long, to the representatives of France and other Christian powers at Tangier, in relation to the proceedings which has been reviewed. That letter was, doubtless, written under high excitement, and was inspired by motives eminently loyal and patriotic; yet its tone was improper, and the consul should, moreover, have left it to this government to make a complaint, if any were to be made. Nor does the President find any sufficient grounds for the complaints of the consul in the conduct of those representatives on the occasion which elicited them. These views will be made known to our consuls, and they will receive instructions not to repeat the discourtesy which Mr. De Long committed in this case.

I am, sir, your obedient servant,

WILLIAM H SEWARD.

JESSE H. MCMATH, Esq., *&c.*, *&c.*, *&c.*

Mr. De Long to Mr. Seward.

No. 9.] CONSULATE OF THE UNITED STATES,
Tangier, May 23, 1862.

SIR: I have the honor to inform you that previous to the Moorish minister having taken any active steps, the viceroy, Prince Muley Abbas, on hearing of the tumult at the American consulate on the 26th of February last, immediately, and of his own free voluntary act, sent his lieutenant governor with soldiers to suppress the mob, and with instructions to render me all the assistance in his power.

Not hearing from my government, I felt it my duty, upon the receipt of this information, to tender to the prince my thanks; which I did in person and by letter, copy of which is herewith enclosed.

In my interview with him I spent over an hour, which time was unusual, but he detained me making inquiries about our civil war and the country generally.

The prince left next day for Tetuan, and from his camp near that place addressed me an autograph letter; a translation of which, made by one of the first oriental scholars in this country, is herewith enclosed.

The perusal of this document will, I trust, prove as satisfactory to my government as it is grateful to my feelings, and that it will tend to convince them tha the statements so unscrupulously made by Mr. Layard, in the English Parliament, and reported in some of the European papers, were as unfounded as they were untrue.

I have the honor to be, sir, your most obedient and humble servant,

JAMES DE LONG.

Hon. WILLIAM H. SEWARD,
Secretary of State.

CONSULATE OF THE UNITED STATES OF AMERICA,
Tangier, April 19, 1862.

HONORED AND ESTEEMED FRIEND: I was yesterday informed, for the first time, that on the 26th of February last, when the armed mob of Europeans, of my own race and religion, surrounded the United States consulate to offer an indignity and insult to the American flag, you promptly ordered soldiers, accompanied by your lieutenant governor, to come to my relief and to sustain the honor of our national ensign.

For which act, done by you without solicitation upon my part, I therefore embrace the earliest opportunity after the receipt of this information, to tender to you on behalf of the President of the United States, as well as on my own account, our highest consideration and regard. This, together with other acts of kindness that have been extended to me by the authorities and subjects of his Majesty, your worthy brother, the Emperor of Morocco, since my arrival here, has planted in my bosom feelings of attachment for yourself and your people which neither time nor distance can eradicate from my mind, and which feelings I shall carry with me to the grave. And it would give me great pleasure and satisfaction if time and opportunity would permit you to visit the United States; thus enable you to see the growing greatness of our country, and to receive the hospitality of our people.

I am proud to say that for seventy-six years, being the period of our first treaty, relations between your government and that of the United States have been of the most friendly character, trusting in the providence of God that it may always so continue.

In conclusion, I avail myself of this opportunity to wish your highness all health and happiness, and at the same time with hearty prayers for the prosperity of your country.

I have the honor to be your royal highness's most obedient and humble servant,

JAMES DE LONG,
United States Consul.

The Viceroy, Prince MULEY ABBAS.

[Translation.]

PRAISE TO THE ONE GOD.

To the clever and wise gentleman, consul general for the American nation, James De Long, esq., which premised:

We continue to make inquiries regarding your welfare, and praying God that you are well. We are deeply penetrated with the expressions of gratitude made use of at your interview with us, as well as in the communication addressed to us in your own name, as well as on behalf of your government for the aid and assistance we rendered you in removing the insults offered to you by the christian subjects who surrounded the consular residence, thus offering insult and indignity to the American flag.

Such aid on our part is no more than an act of duty, and one of right, arising out of the uninterrupted reciprocity of friendship which has existed between the two nations from the time of our ancestors. We dislike that any one should be insulted in our country, and when within our power to protect, we protect them till it results with satisfaction to themselves as well as with maintenance to their honor.

Our officers in rendering you this assistance, and in protecting the United States consulate, have but followed the same line of friendly conduct hitherto exercised towards your government. We desire not that either injury or insult should accrue to you or the American nation, a nation known and acknowledged as she universally is for her goodness, as well as remembered by ourselves for the close intimacy and peculiar friendship once existing between her and our ancestors.

It gives me satisfaction to add that you, in virtue of your office, have conducted this affair with a clearness of judgment and honesty of purpose, and at the same time with such firmness and moderation as to have contracted honor for your country. Persons like you deserve to be the representatives of their nation. The good man is he who acknowledges the goodness done to them by others. I can say that from the first day we had intercourse with you we failed not to remark your wisdom and refinement, and considered you in the highest degree characterized by firmness, truth, and honesty.

We request you to express to your government our sentiments of good will towards them, and to assure them that the friendship once so intimately existing between us, not only still exists and continues, but on our part has become confirmed and consolidated by time, and that we heartily wish them the victory (victorious as they always are) over those who have rebelled against them and peace.

Written (at Tetuan) on the 14 "Dalkahada," year 1278, (corresponding to May 14, 1862.)

EL ABBAS,
Son of the Prince of the Believers.

May he rest in glory

Mr. Seward to Mr. McMath.

No. 3.]

DEPARTMENT OF STATE,
Washington, July 1, 1862.

SIR: The despatch of your predecessor, Mr. De Long, dated May 23 and numbered 9, was duly received. It communicates a copy of a note addressed by him to the Viceroy, Prince Muley Abbas, in acknowledgment of the prompt assistance rendered by the latter on the occasion of the tumult at the United States consulate in February last, and also a copy of the prince's reply.

The expressions of cordial friendship conveyed in the communication of Prince Muley Abbas towards the government and people of the United States are fully appreciated and warmly reciprocated. Good relations between the two countries have existed too long to be in danger of disturbance from light causes, and serious ones are not likely to spring up between governments whose interest, not less than whose desire, it is that they should cherish towards each other good will, and practice frankness and justice. You will make a suitable communication of these sentiments to the prince, and at the same time assure him that his wishes for our success over those who are waging an unholy war against the government they had sworn to support, are honorable alike to his judgment and his feelings, and that they have given much satisfaction to the President and people of the United States.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

JESSE H. MCMATH, Esq.,
United States Consul, Tangier.

GUATEMALA.

Mr. Crosby to Mr. Seward.

No. 12.] LEGATION OF THE UNITED STATES OF AMERICA,
Guatemala, May 6, 1862.

SIR: * * * * * * * *

With all deference I beg to call your attention to the project of colonizing the free blacks of the United States upon lands in Central America. It appears to me by so doing the influence of our government may be made to act directly upon this country, and have much influence in shaping its policy and future destiny; at the same time operating as a check upon the encroachments of England, or other European nations.

In this view I submit for your consideration that the government of the United States arrange with that of Guatemala for the colonization of free blacks upon the territory of Guatemala, lying on the Atlantic side, and embracing the port and country around St. Tomas, and also the port of Livingston, at the mouth of the Rio Dulce, and thence extending settlements up the Dulce, on the borders and around the Lake Isabel.

By reference to the map of Guatemala you can see the importance of this location, embracing the country north of the state of Honduras, and extending to the south line of the colony of British Belize, which is defined by the river Larstoon. The front on the Atlantic is not very great, yet it embraces the important outlets of the Rio Motagere and the Rio Dulce, which afford facilities of water transit for an interior, and large breadth of very rich, healthy, and fertile lands.

I have personally visited and travelled over all this section of country, and speak of it from my own observation and personal knowledge. In my opinion, it is in every aspect the most desirable location and section of country on any part of this continent for the successful development of the project of colonizing free blacks by the government of the United States, or by the humane and Christian efforts of private individuals or societies.

At Livingston there is now a small settlement of blacks, and most of the very sparse population settled at isolated spots are of negro origin. Therefore there would be no conflict of races if our free blacks from the United States were to be introduced and settled on these lands.

Besides the colony of British Belize, which lies to the adjoining north, would present them with neighbors of their own race, speaking their own language, and with the same religious sentiments. These are circumstances that would at once establish good relations between the new emigrants and those with whom they would be first brought in contact, and to my mind they are most important considerations for the success and contentment of the new colonists.

The proximity of these ports to the southern coast of the United States and the facility and cheapness of transporting the emigrants is another important consideration.

Besides, whatever supervision our government might deem necessary could be conveniently given at these places, as they are so immediately under observation.

If you desire, and will so direct, I will, with pleasure, prepare a statement of the geography of the country, its climate, soil, and productions, and the kind of industry most proper to be encouraged, and also forward to you for your inspection some of the cotton, coffee, rice, sugar, corn, and other productions of this particular section of country, with suggestions as to the proper time and mode of introducing settlers, its capacity to maintain a large population, and such other facts and pertinent matters as I may deem of interest to you.

With every deference I submit whether the establishment of such a colony at the points indicated would not have the effect to divert the trade of this country very much towards the United States, and materially increase the influence of our government in shaping the future policy of Guatemala as well as the adjoining States, besides checking, without cause of offence, the future encroachments of the English colony of Belize upon the territory of the republic of Guatemala.

I confidently assure you that President Carrera would personally favor this project. And it is a great point gained to have the co-operation, if such an arrangement were desired, by the government of the United States with that of Guatemala.

Would it not be worth the effort to direct the attention of President Carrera away from the schemes of the monarchists of this country to the principles better harmonizing with our own. And may not this be done in connexion with the colonization of free blacks from the United States, whereby two good things may be done at one and the same time. And should you so direct, I would give to this work my most hearty efforts, firmly believing it can be accomplished with every success.

I have the honor to be, sir, with great respect, your obedient servant,

E. O. CROSBY.

Hon. William H. Seward,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Crosby.

No. 18.]

Department of State,
Washington, June 19, 1862.

Sir: The enclosed copy of an instruction of the 4th instant, addressed to our minister in Costa Rica, will give you all the information at present in my possession in regard to the purposes of this government respecting the colonization of free blacks, to which you refer in your No. 12.

The same remarks which I have directed Mr. Riotte to make to the Costa Rican government you are authorized to express to that of Guatemala.

Any formal and authorized offer will be fairly submitted to the parties concerned; and when their own election shall have been made, every possible facility will be extended to enable them to consummate their wishes.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

E. O. Crosby, Esq., &c., &c., &c.

GUATEMALA AND SALVADOR.

NOTES

Mr. Yrisarri to Mr. Seward.

[Translation.]

BROOKLYN, *August* 26, 1862.

The undersigned, minister plenipotentiary of the republic of Guatemala and Salvador, has the honor to make known to his excellency the Secretary of State of the United States of America that he has seen in several newspapers of this country a speech which is said to have been made by the President of these States to a committee of colored persons on the 14th instant, in which speech there is an offer made to that committee to provide for people of color by establishing a colony of their race in Central America, his excellency adding that "he would endeavor to have them made equals, and that he had the best assurance that they would be as good as the best."

As Central America is nothing more than the union of the five republics of Guatemala, Salvador, Honduras, Nicaragua, and Costa Rica, the two first being the most important on account of their population and extent of territory, and as the undersigned represents these two republics in the United States, he deems it his duty to represent to his excellency the Secretary of State of the United States that in those two republics no kind of colonization of foreigners, whether white, black, or other color, is allowed without a special permission from the respective governments, the colonists being held to the fulfilment of such conditions as it may be thought proper to impose on them.

The undersigned regrets to find himself under the necessity of addressing this communication to his excellency the Secretary of State of the United States, but as in the general term of Central America the two republics of Guatemala and Salvador are comprised, he has thought it his duty to signify that it ought not to be understood that they are comprised according to the strict terms of the speech published in the name of the President of the United States.

On this occasion the undersigned has the honor to renew to his excellency the Secretary of State of the United States of America the assurances of his highest consideration.

A. J. DE YRISARRI.

His Excellency WILLIAM H. SEWARD,
Secretary of State of the United States of America, &c., &c., &c.

Mr. Seward to Mr. Yrisarri.

DEPARTMENT OF STATE,
Washington, September 5, 1862.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of a note under date of the 26th of August last, from his excellency Mr. Yrisarri, minister plenipotentiary of the republics of Guatemala and Salvador.

In that communication Mr. Yrisarri refers to what is published in certain newspapers as a report of a speech which is said to have been made at the executive mansion on the 14th of the same month by the President of the United States, to some unofficial persons in attendance there, on the subject of a proposed colonization of Americans of African derivation in some part of Central America.

After presenting a portion of the said supposed report, Mr. Yrisarri remarks that Central America includes the two states which he represents, and, therefore, he proceeds to inform the Secretary of State that in those two republics no kind of colonization of foreigners, whether white or black, or of any other color, is allowed without a special permission from the respective states, the colonists being held to the fulfilment of such conditions as it may be thought proper to impose on them.

The undersigned has the honor to state, in reply, that the note of Mr. Yrisarri has excited some surprise on the part of this government, because, first, it is thought unusual to base diplomatic communications upon informal conversations of the executive head of the government as reported in public journals, and, secondly, it is not perceived that the remarks attributed to the President imply any purpose or desire on his part to colonize any class of persons in the states represented by Mr. Yrisarri, or in any other Central American state, without first obtaining by peaceful and friendly negotiation the consent of the government of such state to that proceeding.

Nevertheless, to remove all apprehension of such a purpose, the undersigned has great pleasure in stating that he is authorized to assure Mr. Yrisarri that, if this government should at any time hereafter find it desirable to effect such a colonization in any foreign country, the first proceeding to that end which will be taken will be a frank and literal application to the government of that country for its consent, and if such consent shall not at once be cheerfully accorded, the purpose will be promptly and unreservedly relinquished.

The undersigned avails himself of this occasion to offer to Mr. Yrisarri renewed assurances of his high consideration.

WILLIAM H. SEWARD.

Señor Don ANTONIO JOSÉ DE YRISARRI, *&c., &c., &c.*

Mr. Yrisarri to Mr. Seward.

[Translation.]

BROOKLYN, *September* 9, 1862.

The undersigned, minister plenipotentiary of the republics of Guatemala and Salvador, has the honor to acknowledge the receipt of the note of his excellency the Secretary of State of the United States of America, dated the 5th instant, in reply to that from the undersigned of the 26th of last month.

As his excellency the Secretary of State signifies that it has caused some surprise to the government that the undersigned should, in the first place, have based his diplomatic communication on informal conversation of the chief of the executive power related in the public papers, and in the second place, that there should have been attributed to his excellency the President a wish to colonizo any class of persons in the states represented by the undersigned, or in any other in Central America, without previously obtaining the consent of such states, the undersigned requests his excellency the Secretary of State to be pleased to accept his excuse for having based his communication on such grounds, even though they coincided with what was set forth by Senator Pomeroy, who has appeared publicly as a commissioner of his excellency the President to organize the colonization of persons of color in Central America. It is true that these facts have reached the knowledge of everybody through the medium of the newspapers; but not on that account have they failed to acquire that degree of notoriety, authenticity, and certainty, which, in the opinion of the undersigned, entitled them to be considered as beyond doubt. However, the undersigned allowed twelve days to pass after the publication of the speech, which was said to have been delivered by his excellency the President on the 14th of last month; but not having been contradicted during all that time, it seemed to the undersigned that the fact was unquestionable, and that, being so, it was entitled to such consideration as its importance demanded. In regard to having attributed to his excellency the President the purpose of colonizing persons of color in Guatemala and in Salvador, without the consent of those governments, the undersigned protests that he had no intention of offering this insult to the chief of this republic, but that he merely endeavored to make known in advance to this government that, as respects those two republics, such colonization cannot take place, because it does not suit the views of those governments. There it is desired to have, as in these United States, colonists of a different class, who may have had a more liberal education than can be acquired in a state of slavery. In proof of what is said, the undersigned has the honor to communicate to his excellency the Secretary of State that he has received, by the last steamer which brought letters from Central America, a despatch from the minister of foreign relations of Salvador, in which, transcribing the official note of the minister of foreign relations of Nicaragua, a copy of which is annexed, he orders the undersigned to take suitable steps towards averting from Central America the evils which are apprehended there from such a colonization. His excellency the Secretary of State of the United States will thus perceive that if the undersigned had not addressed to him the note of the 26th ultimo, in relation to this matter, he would now find himself under the necessity of doing so in compliance with the orders which he has received from the government of Salvador, embracing the wishes of the government of Nicaragua.

The undersigned does not doubt that the government which he represents, as well as all the others of Central America, will be fully satisfied with the equity and justice which are manifested by this administration, at the conclusion of the note of his excellency the Secretary of State of the United States, in which he declares that at no time will this government proceed to carry into effect any colonization without the previous consent of the authorities of those countries; nor was less to be expected from a government which professes the principle of respecting the unquestionable rights of all nations, without making any difference between the most and the least powerful.

On this occasion the undersigned has the honor to repeat to his excellency the Secretary of State of the United States of America the assurances of his highest consideration.

A. J. DE YRISARRI.

His Excellency WILLIAM H. SEWARD,
Secretary of State of the United States of America, &c., &c., &c.

[Translation.]

SECRETARYSHIP OF FOREIGN RELATIONS OF SALVADOR—NICARAGUA, SECRETARYSHIP OF FOREIGN RELATIONS.

NATIONAL PALACE, *Managua, July* 29, 1862.

MR. MINISTER: Since news was received in this republic of the authority which the Congress of the United States has given to the Executive to transport, at their expense, the liberated negroes to a point beyond that republic, and to establish them under the protection of the said United States, his excellency the president of this republic, discovering that the introduction of such elements into our territory would be lamentable and dangerous, both on account of the degradation of that race and of the number much exceeding that of our population, and, what is more, on account of its being under the special protection of another nation, has ordered its minister in the United States to be instructed to openly make known the opposition of this government to every undertaking of this nature on the territory of Nicaragua.

But as the admission of an establishment of this kind into any of them, or the introduction of free negroes would have the same inconveniences for the other states of Central America as for Nicaragua, his excellency the president, wishing to come to an understanding with the other governments of this section of America, has directed me to make known its opinion to them, hoping that if it is approved they will be pleased to second it in the manner which they may deem most suitable and efficacious.

I have the honor to make this known to you in order that you may be pleased to report it to his excellency the president of the republic in which you are, and to communicate to me seasonably its results, and I subscribe myself your obedient servant.

PEDRO ZELEDON.

SAN SALVADOR, *August* 11, 1862.

A true copy.

B. VITERI, *Chief of Department of Relations.*

A true copy.

A. J. DE YRISARRI.

Mr. Seward to Mr. Yrisarri.

DEPARTMENT OF STATE,
Washington, September 15, 1862.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of a note addressed to him on the 9th instant by his excellency Mr. Yrisarri, minister plenipotentiary of the republics of Guatemala and Salvador, touching the subject of the colonization of Americans of African derivation in those republics.

The undersigned has the honor to inform Mr. Yrisarri, in reply, that while any agents of such persons, recognized by this government, will, in every case, be instructed not to attempt any such colonization in any country without first having received the consent of its government to the settlement of the colonists, such agents will be especially instructed not to carry such emigrants at all to either of the two republics represented by Mr. Yrisarri, his note being accepted as a definitive expression of the purpose of these two governments not to receive and protect such settlements.

The undersigned avails himself of this occasion to renew to Mr. Yrisarri the assurances of his high consideration.

WILLIAM H. SEWARD.

Señor Don ANTONIO JOSÉ DE YRISARRI, *&c., &c., &c., Brooklyn.*

COSTA RICA.

Mr. Riotte to Mr. Seward.

No. 33.] LEGATION OF THE UNITED STATES OF AMERICA,
Costa Rica, San José, May 15, 1862.

SIR: I have the honor of laying before you enclosed copy and translation of note of the government of Costa Rica (No. 13) of this date, in which it expresses a willingness to ask from its congress, now in session, authority to set aside on one of the coasts of the republic a tract of land for the settlement of free negroes, and to enter into such arrangements with the government of the United States as will best secure that end.

Since my arrival in the country, and especially since I was informed by trustworthy, unbiased persons of the perfect salubrity of the coast regions and their great fertility, I had, while conversing with members of the government and other influential persons on the civil war in the States and its probable reaction upon slavery, several times directed their attention to the usefulness and practicability of negro colonization on those extensive coasts. When I perceived that the idea startled them at first I did not press it upon them, knowing well that prejudices of caste are not likely to be overcome by reasoning and and arguing.

Yet I occasionally reverted to the subject, and laid before them all information on the behavior of freed slaves contained in northern and English papers, and I soon perceived that their mind was undergoing a change, as the result of which the secretary of state yesterday communicated to me that I would receive a note like the one enclosed.

Though I have bestowed upon the subject the most careful consideration, and I hope not without some result, still at present I do not feel warranted to make any propositions to the department, as it will entirely depend on the general views taken by my government and the basis it will adopt. But I feel assured that I have studied the subject so thoroughly that I shall be able soon to reach a satisfactory understanding with this government, whenever my government will favor me with its views.

I have the honor to be, sir, yours, most obediently,

C. N. RIOTTE.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Iglesias to Mr. Riotte.

[Translation.]

NATIONAL PALACE, *San José, May* 15, 1862

SIR: My government, informed of the legislative act authorizing the President of the United States to expend a certain sum to assist the colonization and settling of emancipated slaves who might wish to emigrate to other countries, and desirous of taking advantage of the congress of this republic being in session to ask for authority to set aside a part of the territory of our coasts for the foundation of a colony, and to enter into all arrangements pertaining to the project, the undersigned wishes, therefore, to know what may be the disposition of the government of the United States in this matter, in order to adopt or omit the above stated step, and I to this end address you, with the request to be pleased to lay the above statement before your government.

With distinguished consideration, &c.,

FRANCISCO M. IGLESIAS.

Hon. C. N. RIOTTE.

The above is a true copy and a correct translation.

C. N. RIOTTE.

Mr. Seward to Mr. Riotte.

No. 19.]

DEPARTMENT OF STATE,
Washington, June 4, 1862.

Your despatch of the 15th of May, (No. 33,) has been received, and also a copy of a note which has been addressed to you by the minister of foreign affairs of the republic of Costa Rica.

In that paper the minister alludes to a project which is under consideration in that republic, by which its government should set aside a part of the national domain upon the sea-coast for the foundation of a colony, to consist of free negroes who should emigrate from the United States, and occupy the territory under arrangements to be made between the two republics. The subject has been submitted to the President.

The free negroes of the United States enjoy the right of remaining within the federal Union, and the right of emigrating from it whithersoever to them may seem best. The government of the United States exercises no power or influence in determining their choice. Congress has made a small appropriation to enable the President to assist such as may choose to colonize in any foreign country. That appropriation will be expended under the direction of the President, in accordance with the views of Congress.

Several states have expressed, more or less directly, a desire to avail themselves of the benefit of the migration of persons of that class, and have made known to this government their readiness to offer inducements to them more or less liberal. The government has decided to allow these inducements to be submitted to the persons invited to emigrate in the presence of some official agent, who will be instructed to guard the free colored population against possible imposition or misappropriation. Such persons of that class as may intelligently accept the invitation of any foreign state will, of course, find no obstacles interposed to their emigration, and the government will, at the same time, endeavor to take care that the inducements offered shall be realized. If Costa Rica should decide to submit a project to the United States of the character indicated by the minister in his note, all facilities for bringing it to the notice of the parties concerned will be afforded, as has been done in other cases.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES N. RIOTTE, Esq., *&c., &c., &c.*

Mr. Riotte to Mr. Seward.

No. 47.]

LEGATION OF THE UNITED STATES OF AMERICA,
Costa Rica, San José, September 14, 1862.

SIR: The speech which, on the 14th of last month, the President of the United States made to a committee of colored people, as reported in the latest papers, and particularly that part of it which points to Central America as his choice for the settlement of colored freemen, and describes the particular spot to be "a highway from the Atlantic or the Caribbean sea to the Pacific ocean, to possess on both sides harbors among the finest in the world, rich coal mines," &c., &c., has created a deep sensation, and is the theme of general comment here. I don't myself think the prevailing opinion far from the mark when it considers this spot to be the Isthmus of Chiriqui, between the laguna of that name, commonly called "Boca del Toro," on the Atlantic, and the "Golfo Dulce," on the Pacific side. And, indeed, I look upon this selection as an admirable one from all I can gather from trustworthy persons on the general character and topography of that country, though I must here emphatically warn you not to believe in either the maps or the reports of a certain expedition which, some years ago, were laid before Congress, with an offer of selling the Chiriqui coal mines (the samples of which had come from Pennsylvania) to the United States for the moderate sum of $500,000. From information received while at Washington and here, I am firmly convinced that the maps and reports mentioned are entirely worthless.

But the fact, to which I would respectfully call the attention of your department, is that the major part of what on maps, and also on Colton's Atlas of 1861, is called the territory of Chiriqui, state of Panama, republic of New Granada, is in dispute between that republic and Costa Rica. The merits of the question are slightly mentioned in Fel. Molina's "Bosquejo de la Republica de Costa Rica," pp. 59, 112. Without a previous arrangement with the two republics, it would be extremely dangerous to settle in Chiriqui; and I feel obliged to dissuade you from such plan, though I do believe that the two republics could, under the mediation of the United States, be prevailed upon to settle the vexed question on equitable terms.

The speech of President Lincoln, and, more yet, a recent conversation you had with Mr. L. Molina on emigration to this country (an account of which I have been shown) have so strongly urged the question of emigration upon the public mind, that congress, in its sessions of 11th and 12th instant, took the matter in hand, much to the satisfaction of the government, which hitherto, with its liberal propositions in that line, met with very little favor. I hope you will not find it presumptuous if I assume to dissuade my government from spending, directly or indirectly, one cent for the purchase of lands for negro colonies. Land in abundance, and of the choicest quality, will be forthcoming, gratuitously offered by private persons, communities, associations, and states; while, in purchasing, the government would most surely be swindled, and the poor negroes robbed or perched upon miasmatic or miserably poor locations. The best use that can be made of the money at the disposal of the President is, paying of passage, furnishing of provisions ample for half a year, and, if then anything is left, aiding in the construction of harbor and other improvements.

I have the honor to be, sir, very respectfully, your obedient servant,

C. N. RIOTTE.

Hon. William H. Seward,
Secretary of State.

Mr. Seward to Mr. Riotte.

No. 27.]

Department of State,
Washington, October 6, 1862.

Sir: Your despatch of September 14th, No. 47, has been received. The apprehensions of attempts to colonize Americans of African descent in Costa Rica and Nicaragua, without the consent of their government, will doubtlessly be removed by the notes which I have addressed to Mr. Molina, copies of which are herewith transmitted for your information. You are authorized to give to the government of Costa Rica the same explanations which are presented in these notes.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

P. S.—I enclose also a copy of my letter to the Secretary of the Interior, on the subject of colonization.

W. H. S.

CHARLES N. RIOTTE, Esq., *&c., &c., &c., Costa Rica.*

Mr. Seward to Mr. Riotte.

No. 29.]

DEPARTMENT OF STATE,
Washington, October 9, 1862.

SIR: I transmit, for your information, a copy of an instruction of the 30th September, upon the subject of the contemplated colonization of persons of African extraction, addressed by this department to several of the diplomatic agents of the United States accredited to governments of Europe, who have possessions within the tropics.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES N. RIOTTE, Esq., *&c., &c., &c., Costa Rica.*

HONDURAS.

Mr. Partridge to Mr. Seward.

No. 11.] United States Legation in Honduras,
Comayaqua, August 26, 1862.

Sir: * * * * * * * *

Although I have not yet received any despatches whatever from the United States, yet judging, from what I read in the papers, that it might become desirable for the government to know at least the views of this government in relation to the colonization of free blacks from the United States in Honduras, I had a conversation with the president upon that subject.

"This government is anxious for an immigration of industrious *whites*," he said, "especially of *German* emigrants, who have, by their establishment in Costa Rica, done so much to develop the resources and add to the wealth of that country; and we will do everything in our power to induce such an immigration; but an immigration of enfranchised slaves from the United States is not at all desirable. We have had a great deal of trouble on our northern coast, and especially in the bay islands, from the free negro population, which has come there from Jamaica and from Belize, who do not obey the orders of the government, and engage in contraband trade constantly."

I replied to him that the only population on the northern coast which I had seen, that had any industry, or activity, or enterprise, were those known as "Caribs," but who, in fact, are of African descent, being the descendants of those negroes who were cast away in a slaver on that coast, some sixty years ago, and of those aborigines of St. Vincent's, transferred by the English from that island, about that period. To this the president said that it might be true, but such was not the emigration they desired or could permit, while they would gladly receive a European immigration, or one from the north, as they here call the United States, notwithstanding the prejudices against all immigrants since Walker's raid into Nicaragua.

This is undoubtedly the feeling of the country; and I noticed a few weeks since in one of the numbers of the Gazette a paragraph headed "Attention Central Americans," in which the people of this country were warned against the projects, said to be entertained in the United States, of colonizing the emancipated blacks of the District of Columbia in Central America. This I have since found, and annex, marked C.

In this connexion, also, I would call the attention of the department to the fact that Mr. John P. Heiss, formerly residing in Washington, as the editor of the Union newspaper there, but now carrying on a manufactory of some sort at Chinandega, near Leon, in Nicaragua, addressed a letter to the president of the republic on the 9th June last, and which was published in the "Boletin de Nicaragua" of the 21st June, warning the president that it was the intention of the present government of the United States to send the slaves, when emancipated, into Central America, and advising the governments of these republics to refuse them admission. A copy of this letter of Heiss's, to which I suppose the American minister resident in Nicaragua has called the attention of the department, will be found marked on the 6th and 7th pages of the enclosed number (58) of the Official Gazette of Honduras.

Your obedient servant,

JAMES R. PARTRIDGE,
United States Minister Resident.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

From the Honduras Official Gazette, No. 56, July 20, 1862.

[Translation.]

ATTENTION CENTRAL AMERICANS.—From the Boston Daily Advertiser, No. —, of the 23d April, we take the following extract:

"WASHINGTON, *April* 21, 1862.

"A petition to Congress is now signed by a multitude of the negroes of this District to express their high sense of the philanthropic acts which have been undertaken to give freedom to their race. They state to Congress their conviction that this liberty will be injurious to them unless they can emigrate to some other country; to some country which was favorable to their constitutions, and where they could seek, by their own industry, that physical and moral development which would enable them to secure an honorable position among the nations of the earth. Although negroes, and, because of that fact, deprived of the rights of a citizen, their hearts are firmly attached to the soil which gave them birth, &c.

"They desire to emigrate to Central America, with the hope of being so protected by the United States that they shall not be entirely excluded from those States; and they desire to bring to the United States that great commerce of the Pacific, which ought to increase by right the riches and power of their common country."

Mr. Seward to Mr. Partridge.

No. 8.]

DEPARTMENT OF STATE,
Washington, September 18, 1862.

SIR: I have to acknowledge the receipt of your very interesting despatch of the 26th August last, No. 11, with its several accompaniments.

The objections urged by the government of Honduras in regard to the colonization of persons of African extraction in that republic are regarded as conclusive by this government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES R. PARTRIDGE, *&c., &c., &c., Honduras.*

NICARAGUA.

Mr. Dickinson to Mr. Seward.

No. 27.] LEGATION OF THE UNITED STATES,
Leon de Nicaragua, September 12, 1862.

SIR: Much anxiety is manifested by the people of this country in regard to the project which seemed to be entertained by the President of the United States of colonizing persons of African descent in Central America.

The people of Nicaragua are very generally opposed to such a scheme, and their opposition seems to be deep-rooted and strong. They manifest as much abhorrence at being placed on a social and political equality with emancipated slaves as do some of the people of our northern States. Although a majority of the population of Nicaragua is more or less colored, the African blood is comparatively trifling. The colored portion is mostly a mixture of the early white adventurers with an aboriginal people, that had made some progress in agriculture and many of the useful arts before the white race came among them. The fact that the white blood is so largely mixed with the Indian is not so much a proof that the early whites of this country had different tastes from those that first settled in North America, as it is that the Indians themselves were a more congenial race, and more readily assimilated to the whites than did the northern tribes. The African blood of Nicaragua is mostly confined to the Atlantic shore, among the Mosquito Indians, who have no political power in the government. The people of Nicaragua are proud and sensitive, and by no means devoid of talent. They are extremely jealous of their national character, and feel indignant at the idea of being ranked with the North American negro. It is not the labor that they object to, it is their assumed equality with the African race.

As an instance of the excitement which exists on this subject, I quote from a letter written to me by honorable C. N. Riotte, our minister to Costa Rica, under date of 28th August, 1862, as follows:

"The last steamer from Central America conveyed us the news of a perfect panic prevailing over Nicaragua and Honduras on account of a dreadful deluge of negro emigration into these two countries from the United States. Permit me to ask you what is at the foundation of these rumors? The contagion of fear has spread already here, and spoiled a project which, for a number of months, I was considering, with the government, with the view of facilitating and securing the establishment of freed negro colonies by an act of congress. I take the liberty of begging your attention to this inquiry at your earliest convenience."

This excitement was at first produced, and is now aggravated as much as possible, by the active secession influence which pervades this country. From the first day of my arrival in this republic to the present time, I have been ever watchful and diligent in searching out and making myself acquainted with the nature, extent, and secret springs of this malign influence. I have succeeded in discovering its various agencies, and know how they operate in this country. I have also succeeded in counteracting and controlling them. I have brought the privateer question, which was entirely the work of secessionists, (foremost among whom were my predecessor, and the United States consul,) to a successful issue. In the same manner, I am confident, I shall eventually succeed in controlling this panic, for I have influences at work as sleepless and untiring as they, but in this they have more substantial ground to work upon than they have had on any other question.

National jealousy has taken the alarm, and feels insulted at the idea of being classed with a servile race. Paradoxical as it may seem, the colored population are the most violently exercised on the subject.

They regard it as the greatest degradation for the country to be overrun with blacks. They feel a sort of pride in being lifted up into a political equality with the white race, but they do not wish to have the national character darkened any more than it is. I do not think that the President of the United States intends anything of the kind, but this is the way it is and will continue to be received here until the idea is distinctly disavowed by the highest authority.

The great disturbing question of this country is, which of these races shall maintain the political supremacy? It is a question more intimately and ineradicably engrafted into the social and political system of these states, and even more difficult of solution, than the slavery question in the United States.

It is a question in which the whole civilized world, and especially the United States, is most deeply interested, for more than one half of the American continent is now peopled by mixed races, one or the other of which must eventually predominate. Surely nothing should be done to crush out the white race from any portion of the chosen home of civilization and free government. Whatever will be productive of this result in Nicaragua will be instantly repelled.

Having received no instructions on the subject, and not knowing the precise character or extent of the project in view, I have not deemed it wise, at this time, to do more than to use my personal influence in endeavoring to allay the excitement, and to write the brief notes to this government, copies of which are enclosed.

I also ask your attention to the enclosed copy of my answer to Mr. Riotte, as containing details which time will not permit me to enlarge upon here.

I have the honor to be, very respectfully, your obedient servant,

A. B. DICKINSON.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States, Washington, D. C.

LEGATION OF THE UNITED STATES,
Leon, September 9, 1862.

SIR: As serious fears seem to be entertained by the people of this country that the President of the United States intends to establish a colony of free colored persons in some part of Central America, I deem it proper to assure this government that no such project will be attempted against the known wishes of the people of these states.

I am, sir, with high respect, your excellency's obedient servant,

A. B. DICKINSON.

Señor DON PEDRO ZELEDON,
Minister of Foreign Relations of the Republic of Nicaragua.

LEGATION OF THE UNITED STATES,
Leon de Nicaragua, September 10, 1862.

MY DEAR SIR: My particular and confidential friend, Don Pedro Alvarado, is the bearer of this note, accompanied by an official communication relative to a plan which seems to be in progress for colonizing persons of African descent from the United States in some part of Central America.

I am satisfied that the project is only in contemplation on the assumption by the President of the United States that the people of Central America are favorably disposed toward such a scheme.

I understand the fact to be otherwise; that is, that the people of this country are generally opposed to it. If such is the case, if the government and people of Nicaragua are opposed to such colonization, I beg you to do me the favor to make the fact known to me at your earliest convenience, so that I can communicate the same to my government by the next steamer and prevent any serious misunderstanding on the subject.

Knowing Mr. Alvarado to be your own friend as well as mine, I avail myself of his great kindness to transmit this communication and return to me your answer thereto, which I hope to receive officially in time to send at once to my government; for you must know that, above all things, I desire that friendly relations may be maintained between our two governments.

Very respectfully, your friend and servant,

A. B. DICKINSON.

Señor DON PEDRO ZELEDON,
Minister of Foreign Relations, &c., &c., &c.

LEGATION OF THE UNITED STATES,
Leon de Nicaragua, September 10, 1862.

DEAR SIR: Your letter of April 28, 1862, inquiring as to the cause of the excitement prevailing over Nicaragua and Honduras on account of a dreaded deluge of negro emigration into these two countries from the United States, is received.

Quite a number of things have worked together to produce this result. Several American secessionists reside here who came to this country before the Walker invasion and had the sagacity to abstain from taking any part in the revolution. They have consequently retained the respect and esteem of this government. They are men of means and influence, which they use to the best advantage to favor the secession cause and to make the government of the United States appear as odiously as possible to these republics. Advantage will, of course, be taken by them of anything which can possibly occur to disturb our friendly relations. They are powerfully aided by a certain other gentleman of secession tendencies, who was formerly one of the editors of a government paper at Washington, and who has been several times bearer of government despatches to and from the legations of the United States in Costa Rica and Nicaragua, under a secession administration, and who is now a resident of Nicaragua, and an able correspondent of the Commercial Advertiser of New York.

They have seized upon this colonization scheme from its inception, and magnified and distorted it, and so worked upon the prejudices of the people of this country as to keep them constantly agitated on the subject. But I have quieted their fears and kept the excitement under control. I long ago ascertained the sentiment of the people on this subject, and only regret that I had not informed the President of their hostility to it before the scheme, foreshadowed in his message, had been so far developed. But it hardly seemed necessary when I felt confident that it was entirely within my grasp, especially when I considered the momentous business at home, of days and months pressed into moments, which the Executive had to pass upon. There is no cause for alarm in the President's speech, and would be none were it not for the secessionists. They seize upon it as a perfect godsend, and make the most of it.

The object of the President seems to have been to ascertain whether any considerable portion of the colored population of the United States would consent to such colonization in case an arrangement could be made for it. That would seem to be the first step necessary; and if he should find that they were willing to emigrate, the next step would be to negotiate for it. It is not surprising that the President turned his attention to Central America, whose soil, climate, and products are so well adapted to the labors of such persons; but I am quite sure that he would never have mentioned the subject in connexion with this country if he had been informed that the people residing here were so universally opposed to it.

When Captain Griffin, the agent of the Transit Company, arrived here in January last, he privately broached the scheme to a few persons of introducing negro labor to work on the transit. At my first interview with him in Leon, he mentioned the same subject to me, and informed me that he intended to ask permission of the government to introduce the negroes into the country as apprentices. Being well aware that such a proposition would greatly imperil the success of the transit, I strenuously advised him to drop the subject and say nothing more about it. He assured me that it should go no further. But the subject leaked out soon after his departure, and spread all over the country, creating much hostility to the transit. Numerous interrogatories came to me, but I invariably denied any such intention, as he had abandoned it.

I then had an opportunity of witnessing the intense feeling against anything in the shape of negro colonization.

I think I can see why Costa Rica and San Salvador are not so much opposed to it. They are not so much afflicted as Honduras and Nicaragua with Jamaica negroes, some of whom are respectable, intelligent men, but most of whom are worthless, idle, thieving vagabonds, prowling along the Atlantic coast and mixing with the Mosquito Indians, producing the worst cross-breed that society can be infested with.

It is regarded by the people here as peculiarly unfortunate at this time, as negotiations were in progress, and commissioners sent from this government to San Salvador and Honduras, to effect a reunion of these three states; and, in addition, the election of chief magistrate takes place in this republic early in November next.

I have called the attention of the department to this matter under such circumstances that I can scarcely fail to have an answer by the first steamer in which it can be brought; in which event it will reach us before the election takes place.

On the subject of your inquiry regarding the transit, I have only time to say that I have learned that the transit steamer "Virginia" sprung a leak and went down a day or two since, in Lake Nicaragua, and is a total loss. I understand, also, that the Transit Company have lately written to this government, asking for a further extension of six months of their contract. The government has not yet answered their request.

Very respectfully, your obedient servant,

A. B. DICKINSON.

Hon. C. N. Riotte,
United States Minister, Costa Rica.

Mr. Dickinson to Mr. Seward.

No. 29.] LEGATION OF THE UNITED STATES,
Nicaragua, September 13, 1862.

SIR: I have the honor to transmit herewith copies and translations of two notes with which my messenger has just arrived from the minister of foreign relations of this republic, expressive of the opposition of the government and people of Nicaragua to negro colonization within the borders of the republic.

I am, sir, respectfully, your obedient servant,

A. B. DICKINSON.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Zeledon to Mr. Dickinson.

[Translation.]

NATIONAL PALACE,
Managua, September 12, 1862.

SIR MINISTER: I have had the satisfaction to place before his excellency the president the communication of your excellency, in which you are pleased to manifest that the government of the United States does not entertain designs to colonize free negroes in the territory of Central America against the wishes of the people and government of this republic.

His excellency the president of Nicaragua is pleased to see confirmed the sentiments which he always expected of a government friendly and respectful of the rights of other people, in which hope he trusted, notwithstanding the rumors and publications which alarmed the people of Nicaragua. Through our minister in Washington he has already manifested to the government of the United States the repugnance of the people and government of Nicaragua to the establishment in her territory of colonies under the protection of another government, and even without that, especially to the colonization of free negroes; but it may not be amiss here to repeat it to your excellency, which I now do in answer to your esteemed despatch above named.

I have the honor to remain, with sentiments of respect and esteem, your excellency's obedient servant,

PEDRO ZELEDON.

[Translation.]

Mr. Zeledon to Mr. Dickinson.

[Confidential.]

MANAGUA, *September* 12, 1862.

MY DEAR SIR: I have had the pleasure to receive your valued favor of the 10th instant, through our mutual friend, Don Pedro Alvarado, as also the official communication of the same date and substance, the answer to which accompanies this.

It is true that various publications in the newspapers of New York, inviting associations for colonization in Nicaragua without having obtained the sanction of this government, in connexion with the acts of the United States Congress, authorizing that government to procure transportation and colonize free negroes under its protection in suitable countries, and the design of the President to prefer Central America, have excited a feeling of opposition among the people of Nicaragua against such colonization. And this government has, in order to prevent it, instructed its minister in Washington to notify that government of its repugnance to consent to it, being persuaded that the government of the United States respects, and will respect, for its own honor, the sovereignty and the territories of the Spanish-American nationalities.

Therefore, your esteemed despatch and letter, which I answer, is a gratifying confirmation of the opinion which the government of Nicaragua has for that of the United States, and the sentiments of kindness and friendship which your excellency cultivates in Nicaragua with such good results.

I take the present occasion to present to your excellency my most distinguished regards, and remain your obedient servant.

PEDRO ZELEDON.

Mr. A. B. Dickinson,
Minister resident of the United States.

Mr. Seward to Mr. Dickinson.

No. 24.]

Department of State,
Washington, October 6, 1862.

Sir: Your despatches of September 12 and 15 (Nos. 27 and 29) have been received. Your proceedings in assuring the government of Nicaragua that its objection to the colonization of Americans of African derivation within the limit of that republic will be respected are approved.

I give you, for your better information, copies of the correspondence on that subject, which has taken place here between his excellency Mr. Molina and this department, and a copy of my letter to the Secretary of the Interior on the same subject.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

A. B. Dickinson, Esq., *&c., &c., &c., Nicaragua.*

[Enclosures with No. 24.]

Mr. Molina to Mr. Seward, September 19, 1862.
Mr. Seward to Mr. Molina, September 24, 1862.
Mr. Molina to Mr. Seward, September 29, 1862.
Mr. Seward to Mr. Molina, October 1, 1862.
Mr. Seward to Mr. Smith, October 6, 1862.

Mr. Seward to Mr. Dickinson.

No. 25.]

Department of State,
Washington, October 9, 1862.

Sir: I transmit for your information a copy of an instruction of the 30th September, upon the subject of the contemplated colonization of persons of African extraction, addressed by this department to several of the diplomatic agents of the United States, accredited to governments of Europe who have possessions within the tropics.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Andrew B. Dickinson, Esq., *&c., &c., &c., Nicaragua.*

COSTA RICA, NICARAGUA, AND HONDURAS.

Mr. Molina to Mr. Seward.

[Translation.]

LEGATION OF COSTA RICA, NICARAGUA, AND HONDURAS,
Washington, September 19, 1862.

SIR: Referring to the interviews in which I have had the honor to manifest to your excellency and, in your absence, to the honorable Assistant Secretary of State the views of the republics of Costa Rica, Nicaragua, and Honduras, in reference to the project of establishing upon the territories of Central America colonies of persons of color exported from these States, with the aid of the resources decreed for the purpose by the last Congress, I deem it my duty and, in conformity with the frankness and the friendly spirit of the repeated interviews to which I refer, to reduce to writing what has taken place at them, and the understanding which has resulted therefrom.

I flatter myself that your excellency does justice to the motives of the elaborate effort with which I have endeavored to avoid a controversy in writing and thus to divert your important attention, under circumstances in which, probably, it is occupied, from affairs more urgent and transcendental to your country. I write the present at the request of the honorable Assistant Secretary of State, and in the confidence of having brought about a perfect understanding founded upon the good faith, the equity, and the justice which the present administration has proposed to itself as the guide of its policy, especially in its foreign relations so fortunately confided to your excellency.

About the middle of June last, having been informed through private though reliable sources that it was formally contemplated to carry into effect the aforementioned colonization into the territories of Central America, and especially upon the isthmus of Chiriqui, I had the honor to inform your excellency that none of the governments which I represent would consent to the formation upon its territory of independent colonies, whatever might be their color and place of departure, nor under the auspices and protection of any foreign government; that they desire and are disposed to promote the immigration of industrious persons, and capable of contributing to the improvement and advancement of the country, and of identifying themselves with the inhabitants, under the exclusive control of its laws; and they reserve to themselves the right of regulating the matter as may suit them, and the exercise of the other rights which appertain to them as sovereign states; and that the project in question, even supposing that it did not tend to give an inadmissible character of independence to the colony, would not meet with the favor in Central America, of whose territories it seemed to dispose of, without notice to, nor the consent of, the proprietors, for the purpose of importing a plague of which the United States desire to rid themselves. Your excellency seemed to appreciate the natural attitude of the governments which I represent by assuring me that the United States do not intend to establish independent colonies, nor to send colonists to Central America, without previously obtaining the consent of the respective governments; and you dwelt at length upon the advantages of the immigration and the propriety that the Hispano-American States should protect and promote that which seems most appropriate and likely to amalgamate in view of its original traditions.

At the same conference, confining myself to the colonization of Chiriqui, based upon certain concessions of lands and mines made in the year 1854 by the province of the same name in New Granada to Mr. Ambrose W. Thompson and to others, now represented by him or by the association called "Chiriqui Improvement Company," I had the honor to make known to your excellency that said concessions relate to territories which, for the most part, unquestionably belong to Costa Rica, in whose peaceable and undisturbed possession they now are, and the balance is involved in its titles, belongs to it by right, and is the cause of a question of boundaries, still pending between Costa Rica and New Granada; and that, therefore, the same concessions made by a foreign authority of the property of Costa Rica, or of disputed lands which she claims under valid titles, are evidently null and without value.

I had previously had occasion to make known the same thing to General Cass and to the Hon. Mr. Toucey, in consequence of the contract entered into by him, as Secretary of the Navy, with the said Mr. Thompson—a contract in which the latter had gone so far as to sell to the United States inalienable rights of sovereignty which never could have belonged to a private individual, in order to draw from the federal vaults $300,000; thus solving the ancient problem, in which he has for years been employed, of making gold out of that which has no value, to which Congress denied its sanction with a full understanding of the subject. I added that New Granada itself does not recognize the pretended rights of Mr. Thompson, having submitted the question to the supreme court, which high tribunal decided against him, declaring the said concessions illegal. This illegality is shown by the titles themselves, for want of sufficient power in the provincial authorities which issued them; and the simple perusal of them also shows that, if they had not been null from their inception, they would have become void from the lapse of time, and the non-compliance of essential, implicit, and expressed conditions; for example, the grantee has obstinately violated the prohibition which his titles contain, to cede his rights to any foreign government.

Your excellency was pleased to reply to me that you had not been able to fully occupy yourself with this matter; that General Herran had directly discussed it with the President, explaining it in the same manner as myself, and leaving an impression favorable to the rights of Costa Rica; that you would report to and procure me an audience with the President, and advise me opportunely.

I awaited this notice in vain, which absence I have attributed to the many and more urgent occupations of the government, until, during the absence of your excellency, I conferred upon the matter with the honorable Assistant Secretary, reiterating all I have stated and adding that, in Central America, the said enterprise is looked upon as aggressive, illegal, and of a worse character than other former ones of the same kind; that it creates a real alarm, and that I had received orders to resist it; and that if it were carried out I would discredit the assurances which I have endeavored to transmit to the governments which I represent, of the inauguration of a new policy of good will and equity on the part of the present administration of the United States. The honorable Assistant Secretary, being informed of all this, replied to me that he would call the attention of the President to the international view of the undertaking to which, probably, he had not paid sufficient attention, believing, in good faith, that it would be accepted with pleasure by all the interested parties; he repeated that it would not be carried out without obtaining your consent nor in disregard of the rights which I represent, and stated that it would be proper that I should speak with the President, offered to solicit an audience for me, and with him, and to advise me accordingly. I further made known to him the intention which my estimable colleagues of Guatemala and New Granada had of solemnly protesting, representing to him that, in my opinion, it would be more conducive to good relations that your government should abandon, of its own good will and through respect to the rights which are believed to be threatened, an enterprise subject to unfavorable interpretations, and which meets with legitimate resistances; and he replied to me, reiterating the offer of reporting it and of advising me. A few days afterwards the same Assistant Secretary was pleased to send for me to tell me that the President could not, under the circumstances, occupy himself with the matter, but that I might rely that it would not be decided without hearing me. I manifested to him the false position in which I found myself, the minister of Guatemala and Salvador having already protested in writing, he not being so directly interested, reiterating my former importunities and representations, and presenting to him the pamphlet entitled "Costa Rica and New Granada, an inquiry into the question of boundaries, by Felipe Molina," and while thanking me for the same, he repeated to me that it was impossible, under the circumstances, to occupy himself with the matter; that for the present it was suspended, and that it would not be decided until after giving me an opportunity of representing what would seem proper to me for the interests which are confided to me and to reflect upon it maturely; and he added that my governments will know, without doubt, how to appreciate and will approve my conduct.

On the 15th instant, alarmed by the publication in the Sunday Chronicle of the previous day, of a positive notice that the government had completed, on Saturday last, the arrangements for a settlement of people of color in Central America, giving to Senator Pomeroy full powers upon all the matter, and that the emigrants, well supplied with all that was necessary, would be sent in a first class steamer at the beginning of October, I went to the office of the Secretary of State, desirous of speaking with your excellency, and being informed that you were not in the department I obtained an interview with the honorable Assistant Secretary, who, having been informed of the notice referred to, which I placed in his hands, assured me that its contents were not true, except that the President had commissioned the honorable Senator Pomeroy to go alone to visit several points in the West Indies, Central, and, perhaps, South America, for the purpose of seeing which would be the most proper for the colony under consideration, and to ascertain the disposition of the inhabitants; that no powers had been given him to negotiate with any government, his powers being limited to those of an explorer, whose duty is to examine and to inform without deciding of himself; and that this government reserves to itself to decide in view of the report of Mr. Pomeroy, and to treat directly with me or the minister who may be concerned. I then made known my desire to have this assurance in writing, and proposed the drawing up of a memorandum, and the honorable Assistant Secretary referred to the reply made to Mr. Yrisarri, of which he had confidentially given me a copy, inviting me to transmit a communication should I deem proper to do so.

Having drawn up with great care this long but truthful statement of the affair, I must rely, as I do rely, in the equity and good faith of the government of the United States, and in the assurances which your excellency and the honorable Assistant Secretary have been pleased to give me, and which I have related. While calling your excellency's attention to the pamphlet aforesaid, which contains the titles of Costa Rica, and to a map, from whose comparison with that which marks out the pretensions of Mr. Thompson, annexed to the opinion of the Committee on Naval Affairs of the House of Representatives, who examined the Toucey-Thompson contract in 1860, it is seen that all the territories of which the latter pretends to dispose of are found within the limits which Costa Rica claims, and the greater part within her jurisdiction and undisputed possession; and I also take the liberty to call your attention to the opinion of the minority of the aforesaid committee.

Before concluding, I must inform you that I have before me a pamphlet entitled "Information for persons proposing to join the free colored colony to Central America," published and subscribed, as from the pamphlet it appears, by the honorable senator and commissioner, S. C. Pomeroy, in which are to be found the following statements:

"And as an effort is now to be made by these people to found a settlement and a country of their own, I have consented to aid them in the selection of a locality and overcoming some of the obstacles incident to all pioneer settlements. I intend to start in a vessel from the city of Washington about the 1st of October, and will take, free of charge, five hundred colored persons, more or less, to be composed for the most part of *able bodied men*, such as *mechanics and laborers*. We shall settle in Central America, in the province we find to be the most promising, where neither the government nor people are unwilling to receive us." And further below, "We intend to land at Chiriqui, New Granada, and also to visit the numerous islands, and perhaps the countries of Venezuela and Honduras."

Relying on the aforesaid assurances and upon the good faith and integrity of the government of the United States, and as I cannot doubt the authenticity of the aforesaid pamphlet, I have no other alternative left but to attribute it, notwithstanding the high position of Mr. Pomeroy, to a misunderstanding on his part of the nature of his mission and of his instructions, or to an inexplicable hallucination which makes him feign not to understand them and to counteract them by embarking upon an expedition in every way aggressive and illegal, against which your excellency knows a protest has been made from the beginning in various forms, in the name of Costa Rica, Nicaragua, Honduras, Guatemala, Salvador, and New Granada.

It is not doubtful that all the Hispano-American States, maintaining in its just and genuine acceptance the celebrated declaration of President Monroe, in his message of the 3d of December, 1822, will second, on this occasion, the attitude of the States enumerated, and will defend, with that statesman, as a principle which affects the rights and interests of all those of this continent, that the territory of none of them, from the free and independent condition into which they have constituted themselves, must not in any event be considered as unoccupied, nor subject to be colonized by any foreign power whatever; and that every attempt, in a contrary sense, will be viewed as dangerous to the peace, security, and independence of the same States.

I have this very day received positive instructions from the governments which I have the honor to represent, to insist upon this point, and to protest, as I do solemnly protest, in the language of the minister of foreign relations of Costa Rica, against the speculations and pretensions upon the isthmus of Chiriqui of Mr. Ambrose W. Thompson; against every attempt to avail of them to acquire rights which he has not, and cannot cede, in disregard of those of the sovereignty of Costa Rica, to found colonies or any other enterprise whatever; and that the republics which I represent are determined to repel with all their power the establishing upon their territory of independent, semi-independent, colonies, or which can pretend in the least manner to depend upon foreign governments.

And, following the spirit of my instructions, with reference to the undertaking announced by the honorable Senator Pomeroy, I also solemnly protest against it in the name of Costa Rica, Nicaragua, and Honduras, denouncing it as aggressive, illegal, and menacing to their tranquility, integrity, and independence, and dangerous to the peace and good relations which they desire to cultivate with the United States; and in the name of so many and such great interests as it compromits, I conjure your excellency to interpose, in order that the necessary orders be given to prevent the projected expedition and any other similar ones, and to cause the failure of the plan which I denounce.

I flatter myself that your excellency, who is so jealous of the good name and justification of the United States, compromitted to its sorrow in former times, will not hesitate to obtain and to issue, with the necessary promptness, the orders which I solicit; and it gives me pleasure to acknowledge even now that they will be the natural consequence of the true policy of the present administration, as it has been so ably expounded by your excellency; a policy of equity and benevolence which has never been wanting in the relations with which the undersigned is charged.

With these sentiments I have the honor to renew the assurances of high consideration and distinguished esteem with which I subscribe myself your excellency's very obedient servant.

LUIS MOLINA.

Hon. William H. Seward,
Secretary of State of the United States, Washington.

Mr. Seward to Mr. Molina.

Department of State,
Washington, September 24, 1862.

Sir: Your note of the 19th instant has been received and submitted to the President.

Congress, at its last session, passed laws which authorized the President to aid the colonization of persons of certain classes of African derivation, with their consent, in some tropical country, first obtaining the consent of the government of such country to receive such settlements and protect them in all the rights of freemen. The execution of these laws was devolved by the President upon the honorable the Secretary of the Interior. That officer is understood to have recognized the honorable Mr. Pomeroy as an agent for persons belonging to the specified classes, to aid and direct them in the choice of their locations and establishing their settlements. The general instructions which were given to him by the Secretary of the Interior expressly inhibited Mr. Pomeroy from attempting to make such location and settlement in any country whatever, without first having obtained the consent of the government of such country to protect the proposed settlement of such persons there with all the rights and privileges of freemen.

About the time when those instructions were in course of preparation, his excellency Señor Antonio José de Yrisarri, minister plenipotentiary of the republics of Guatemala and Salvador near the United States, gave notice to this department that those two states were averse to receiving any such settlements; and for that reason the instructions of the Secretary of the Interior to Mr. Pomeroy were modified. He was informed that the President accepted Mr. Yrisarri's communication as a definitive declination of the two governments which he represented to receive and protect a colony of the class proposed in their respective countries. Whereupon Mr. Pomeroy was expressly directed not to proceed with such colony to any part of the territories of either of the said republics of Guatemala and Salvador.

In your note, which is now under consideration, you protest, in behalf of the republics of Costa Rica, Nicaragua, and Honduras, against the introduction of any colony of the kind proposed within the territory of either of those republics. You also inform this department that a portion of the region called Chiriqui, which is claimed by Mr. Ambrose W. Thompson, and which he offers as a site for such a colony, lies unquestionably within the territory of Costa Rica, while another portion lies within the unquestioned territory of New Granada, and still a third part is in dispute between the government of Costa Rica and New Granada; and you extend your protest so as to make it cover not only the unquestioned territory of Costa Rica, but also that portion of Chiriqui which is claimed by Costa Rica.

I have now to inform your excellency that the acts of Congress, under which the colonization in question is proposed to be made, do not warrant the attempt to establish such a colony in any country without the previous consent of the government thereof, and that your protest is accepted by the President as a denial of such consent on the part of the three states you so worthily represent. Mr. Pomeroy will therefore be instructed that he is not to proceed with such a colony, or to land upon any part of the territories of Costa Rica or of Honduras, or any part of the admitted territory of Nicaragua, or even any part of Chiriqui, which is included within the region which, as you represent, has hitherto been, and yet remains, in dispute between the government of New Granada and the government of Costa Rica. I may, perhaps, not improperly add that it is represented by Mr. Thompson to the Secretary of the Interior that the part of Chiriqui which he proposes as a site for a colony lies altogether without the admitted territories of Costa Rica, and also without the lines which are included by the claim of New Granada, and exclusively within the admitted territory of New Granada. In order that no invasion of the region in question may be made, and even no unlawful intrusion within it may be attempted, Mr. Pomeroy has now been further instructed not to land or attempt to establish a colony in New Granada without first having obtained the consent of not only the authorities actually exercising administration within it, but also the consent of the republic of New Granada, which is represented at Washington, and with which diplomatic relations continue to be maintained.

I avail myself of this occasion to offer to you, sir, renewed assurances of my high consideration.

WILLIAM H. SEWARD.

Señor LUIS MOLINA, *&c.*, *&c.*, *&c.*

Mr. Molina to Mr. Seward.

[Translation.]

LEGATIONS OF COSTA RICA, NICARAGUA, AND HONDURAS,
Washington, September 29, 1862.

MOST EXCELLENT SIR: I have the honor to place within the knowledge of your excellency that on the night of Saturday last, the 27th instant, there was held in the suburbs of this capital, at a place called the McClellan barracks, a meeting of persons of color, called together by the Hon. Mr. Pomeroy, in order to address them in regard to his proposed colonization, on which occasion and at which place he did in fact make a speech to them, urging them to join in the expedition which he was preparing, and which would leave at the beginning of the approaching October, bound for Central America; and he pictured to them in brilliant colors the advantages of that country, pointing out to them, on a map prepared for this purpose, the place on Lake Chiriqui at which it is proposed to land and establish the colony.

If it were possible to doubt the event, I should refuse to believe it, having before me the prompt and frank reply which your excellency was pleased to make me under date of the 24th instant, informing me that orders and instructions were given not to carry or to land such a colony, or to attempt its establishment in any of the five states of Central America, nor in that claimed by Costa Rica, or in the undisputed territory of New Granada, unless the consent not only of the authorities actually exercising jurisdiction in the last-named country was previously obtained, but that of the government of New Granada, represented at this government, and with which diplomatic relations are kept up; but it has been represented to me by three trustworthy persons who witnessed the occurrence and who listened to the speech of the Hon. Mr. Pomeroy.

However great my surprise, I must suppose the fact to be indubitable by supposing that the orders and instructions of your excellency's government may have got astray or been delayed for some cause, and that Mr. Pomeroy proceeded on the occasion referred to without a knowledge of them, or that he was dragged forward by extraneous and unscrupulous influences; and I expect from your excellency's justice that you will be pleased to make the necessary provision to insure the prompt and effectual fulfilment of the orders referred to.

I have had the pleasure of preparing for transmission the important communication of your excellency before mentioned, satisfied that it could not fail to promote in Central America the liberal policy of justice and kindness which it breathes; and I am unwilling that the satisfaction with which it must be received by the governments that I have the honor to represent and its beneficial effects should be rendered nugatory by this incident, as would happen if it came to their knowledge unsatisfactorily explained.

I avail myself of the opportunity to state to your excellency that, whatever may be the declarations of Mr. Thompson, it appears, from a comparison of the maps to which I had the honor of calling the attention of your excellency in my note of the 19th instant, that all the lands to which he lays claim in virtue of grants of the province of Chiriqui, in New Granada, are within limits claimed by Costa Rica; and that, even if they extended into indisputable New Granadian territory, the fact does not appear from those maps, nor are his claims improved thereby, seeing that the competent court in New Granada has declared his alleged titles to be null, and that there is not an inch of ground on the isthmus of Chiriqui which does not belong either to Costa Rica or to New Granada.

I have the honor to reiterate the sentiments of high consideration and distinguished esteem with which I am your excellency's obedient servant.

LUIS MOLINA.

His Excellency Mr. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Molina.

DEPARTMENT OF STATE,
Washington, October 1, 1862.

SIR: I have the honor to acknowledge the receipt of your excellency's communication of the 29th ultimo, in reference to the conduct of the honorable Mr. Pomeroy, relative to the colonization of persons of African derivation in the Central American states, and which was recently made the subject of a protest on your part, in behalf of the three governments which you represent.

While referring you again to my reply of the 24th ultimo, in which full assurances are given you that this government will take no step in the matter contrary to the expressed wishes of the governments of Central America, and incompatible with the well known intentions of this government, I have now further to inform your excellency that a copy of your note of the 29th ultimo will be transmitted to the honorable the Secretary of the Interior, for the guidance and government of all parties concerned.

I have the honor to renew to your excellency the assurances of my distinguished consideration.

WILLIAM H. SEWARD.

Señor LUIS MOLINA, *&c.*, *&c.*, *&c.*

Mr. Molina to Mr. Seward.

[Translation.]

LEGATION OF NICARAGUA,
Washington, October 9, 1862.

SIR: I have the honor to transmit to your excellency the annexed copy of the decree issued by the government of Nicaragua on the 11th of September last, establishing a system of passports and the rules to be observed by the agents of the republic in granting them, with respect to foreigners who have not previously settled therein, who may wish to go to the interior or to reside in its territory.

I avail myself of the opportunity to reiterate the assurances of distinguished consideration with which I am your excellency's very obedient servant.

LUIS MOLINA.

His Excellency WILLIAM H. SEWARD,
Secretary of State of the United States.

[Translation.]

NATIONAL PALACE,
Managua, September 11, 1862.

MR. MINISTER: The president of the republic to its inhabitants: Considering the necessity of putting the republic on its guard against the inconveniencies and dangers which in all time, and especially under present circumstances, may happen to it from emigration from abroad without the precautions which are observed by civilized nations in similar cases, in the use of his extraordinary powers in the department of police decrees:

ART. 1. From and after the last day of November next the commanders of ports and prefects of the frontiers of Nicaragua shall not permit any foreign persons who have not previously settled in the republic to go into the interior, unless they present a passport from the respective ministers or consuls thereof at the ports or places of their departure, in which passport is to be given the name and surname of the person in whose favor it is issued, his profession or trade, the purpose for which they come and their nationality, the signature of the minister or consul and the seal of the republic.

ART. 2. The ministers or consuls of the republic, in issuing these passports, will observe the following rules: 1st. The treaties of Nicaragua with any nations, and reciprocal privileges to the respective subjects or citizens. 2d. That they who solicit the passport are not discharged criminals, and that if they have no money they are not, on the other hand, beggars, or sick or crippled persons, who come to rely on public charity, and that neither are they men without profession or trade, vagabonds, or persons badly provided for. 3d. That neither are they freed negroes or other degraded caste of people, unless they have a special permission for themselves or on account of others to go into the interior. 4th. That in case of coming with a design to colonize, they must have permission from the government, ratified by the chambers, and must in nowise be under the protection of another government.

ART. 3. In order that this decree may reach the knowledge of all persons who may be interested in it, the ministers of this republic at foreign courts, to whom it will be immediately communicated, shall make it known to those of the respective nations and shall procure its publication in the principal newspapers, communicating it to the consuls of the republic, and appointing them at places where there are none and where they may deem them necessary.

ART. 4. With the same object, the list of our consuls abroad and of those who may be newly appointed, shall be communicated to the commanders of our ports and to the prefects on the frontiers.

ART. 5. Central Americans and Spanish Americans only will be permitted to go to the interior on a passport of the respective port or frontier authorities, which will be issued in the same form and under rules 1st and 2d of art. 2.

ART. 6. Notwithstanding all that is hereinbefore provided, persons who go into the interior of the territory of the republic by evading the foregoing provisions or by practicing deception in regard to their place of departure, nationality, profession, trade, or purpose for which they come, will be liable to be sent out of the country at their own cost and to other proceedings to which their acts may have given rise; to which intent the authorities of the frontiers who may give or issue passports will make a list, setting down the circumstances that the passports ought to contain; which list they will transmit at the first opportunity to the ministry of the interior, and said ministry will cause it to be published in the official newspaper for the knowledge of the local authorities.

ART. 7. When the transit from one ocean to another is open, nothing of what is hereinbefore provided shall include passengers, but only those persons who come to go into the interior or to reside in the republic, and the company cannot leave them on our territory except upon those conditions, but must carry them away in the same vessels which brought them.

Given at Managua, on the 11th of September, 1862.

THOMAS MARTINEZ.

And I communicate it to your excellency for your knowledge and for fulfilment so far as your excellency is concerned, the honor befalling me of subscribing myself your excellency's obedient servant.

PEDRO ZELEDON.

His Excellency Señor DON LUIS MOLINA,
Minister Plenipotentiary of Nicaragua, &c., &c., &c.

Mr. Seward to Mr. Molina.

DEPARTMENT OF STATE,
Washington, October 13, 1862.

SIR: I have the honor to acknowledge the receipt of your excellency's note of the 9th instant, transmitting a copy of a decree of the government of Nicaragua, issued on the 11th of September last, establishing a system of passports and the rules to be observed by the agents of that republic in granting them, with respect to foreigners who have not previously settled therein, and who may wish to go to the interior or to reside in its territory. The decree in question will be published at an early day for the information of the citizens of the United States.

I avail myself of this occasion to renew to your excellency the assurances of my distinguished consideration.

WILLIAM H. SEWARD.

Señor LUIS MOLINA, *&c., &c., &c., Washington, D. C.*

ECUADOR.

Mr. Hassaurek to Mr. Seward.

No. 42.]
LEGATION OF THE UNITED STATES,
Quito, Ecuador, October 2, 1862.

Mr. Benigno Malo, a citizen of Ecuador and resident of Cuenca, who owns extensive tracts of land in this country, has directed a communication to me, of which I herewith enclose a translation, together with a copy of the original. He proposes to sell to the government of the United States, for the colonization of free negroes, some 50,000 acres of lands on the left bank of the river Suya, which disembogues into the gulf of Guayaquil. He suggests that a commissioner be sent to examine the land, which he claims to be peculiarly adapted to the cultivation of cotton, rice, sugar, coffee, gutta-percha, &c., &c. I answered, that I would communicate his propositions to my government and notify him in due time of its decision. In the expectation, therefore, to be informed whether you consider the proposition as deserving further attention or not, I have the honor to remain your most obedient servant,

F. HASSAUREK.

His Excellency WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Malo to Mr. Hassaurek.

[Translation.]

Benigno Malo to F. Hassaurek.

CUENCA, *July* 30, 1862.

MY DEAR SIR: I believe to confer a benefit on Ecuador, as well as on the United States, by submitting to your consideration the following ideas, which, if you see proper, you may communicate to your government:

1. The present war in the United States has to result in the triumph of the north. In this case the abolition of slavery would be a logical consequence. The negroes, then, will not remain in the south, the scene of their former oppression, nor will they be received or tolerated in the north, where their ignorant labor (trabajo ignorante) would not be in demand. The government, therefore, will have to devote its attentions seriously to some system of colonization; and in order that such colonization be beneficial to the negroes themselves, and to those great interests which now-a-days are involved in cotton, it will be necessary to establish these negroes in warm climates, where cotton can be produced.
2. On the left bank of the river Suya I onw about fifty miles of territory, admirably adapted to the cultivation of cotton, rice, cocoa, coffee, sugar, &c., &c. One acre can produce five hundred pounds of cotton, (clear,) one pound of rice produces two hundred, and the forests, besides, abound in timber, useful for all purposes, gums, resins, gutta-percha, copaiva, &c. &c.
3. The river is navigable from the sea to the base of the Cordillera, where my possessions begin.

4. I do not want negroes for my own use. I want to make them proprietors of the soil. I would sell all my lands on the Suya to the government of the United States, to be resold or distributed by the latter among the free negroes. I would do still more. I would provide them with food during the first year, furnishing all necessary provisions at Guayaquil prices.

5. This plan would bring about a satisfactory solution of the two great problems which now agitate North America and the whole world, the one of a social character, the abolition of slavery, in which civilization is highly interested, and the other of an economical nature, concerning the production of cotton, without which thousands of families would be exposed to starvation.

6. By being colonized on the banks of the Suya the negroes would retain their freedom, and, at the same time, they would raise cotton, thus satisfactorily solving the two problems above referred to.

7. There is no yellow fever on the Suya, no cholera, nor any other epidemic. Only intermittent fevers are known there, to which, however, the black race is not subject. White persons can get rid of them easily by a proper use of quinine.

8. The laws of Ecuador, as you know, are very favorable to immigration. For the first ten years the new settlers are exempt from all kinds of contribution. Nevertheless, they are allowed to elect their own municipal authorities, their local officers, &c., &c.

9. The adoption of such a plan would be an additional tie of friendship between Ecuador and the United States.

10. The growing prosperity of California is greatly interested in the welfare of Ecuador, on account of the exchange of the northern products of the former for the tropical products of the latter.

In order to arrive at a proper knowledge of the importance of the river Suya, I would suggest that you or the government of the United States send a commissioner to explore those regions, only comparable to the banks of the Nile in their prodigious fertility.

I value the acre at $30. I could sell about 50,000 acres.

Availing myself of this opportunity to offer my services to you, I have the honor to remain, &c., &c., &c.,

BENIGNO MALO.

F. HASSAUREK, Esq., *&c., &c., &c., Quito:*

Mr. Seward to Mr. Hassaurek.

No. 23.]

DEPARTMENT OF STATE,
Washington, November 6, 1862.

SIR: Your despatch of October 2 (No. 42) has been received. Mr. Benigno Malo's proposal to sell extensive tracts of land to the United States, with a view to a settlement of freed Africo-Americans thereupon, cannot be considered by the President, for a special reason, namely:

The President has no authority, by law or treaty, to provide for the colonization of that class of persons, except he shall first have obtained in some sufficient form an agreement from the government of the country where such colonization is proposed to be effected, to receive and protect the colonists in all the rights of freemen. It would belong to the government of Ecuador to propose such stipulations before a proposition like Mr. Malo's could be considered.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

FREDERICK HASSAUREK, Esq., *&c., &c., &c.. Ecuador.*

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